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Aguirre demands stop-order for all Sunroad building work

By David Hasemyer

UNION-TRIBUNE STAFF WRITER

12:14 p.m. June 19, 2007

SAN DIEGO – City Attorney Michael Aguirre called on Mayor Jerry Sanders Tuesday to put a halt to all work on an office tower near Montgomery Field, further pressuring the mayor to bring an end to an on-going controversy surrounding the building that state and federal authorities say is a hazard to airplanes.

Aguirre said Sanders should issue a sweeping stop work order that would close down construction on both the interior and exterior of all 12 floors of the building.

He further urged Sanders to demand that the developer, Sunroad Enterprises, develop plans that would lower the structure from 180 feet to 160 feet, a height that would comply with safety standards established by the Federal Aviation Administration.

“The mayor with a stroke of his hand can stop construction and set in motion a plan to resolve this matter,” Aguirre said.

Last year the FAA declared the Sunroad building a hazard to airplanes landing in bad weather at Montgomery Field. The building rises less than a mile northwest of Montgomery Field, one of the busiest municipal airports in Southern California.

The FAA's hazard designation came when the structure was nothing more than a steel frame. Yet the developer continued to work on the building, largely with the concurrence of the city's Development Services Department.

“We are saying no more construction,” Aguirre said.

Aguirre was joined by Councilmember Donna Frye and representatives of the Aircraft Owners and Pilots Association, the nation's largest association of pilots; and the local Community Airfields Association.

Sanders was not immediately available for reaction. His spokesman Fred Sainz said Aguirre's proposed order was being reviewed.

Aguirre said he applauded Sanders' recent public comments that the building should not exceed 160 feet and for the mayor's support of litigation being pursued by his office to force Sunroad to comply with the height restriction.

“Now it is time to take the next step,” Aguirre said. “The mayor must say we want it brought down to the required level and we want it done now.”

Frye said immediate action is needed to diminish the risk the building poses to pilots and people on the ground.

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Are you going to bring your dog to work on Friday, June 22? SignOnSanDiego is looking for businesses in San Diego where pets will be welcomed that day for a video feature. Call or e-mail videographer Yvette De La Garza at (619) 718-5287 or yvette.delagarza@uniontrib.com.

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“This is a serious safety issue that must be resolved now,” she said.

■ David Hasemyer: (619) 542-4583; david.hasemyer@uniontrib.com

Reader comments

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By Bud_SD on 06/19/2007

It's funny... I drive by the Sunroad building daily and magically, it's coming closer and closer to completion. I thought there was a stop work order on it, already. I guess if you're connected in San Diego and ignore something, it just goes away.

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By TAmerican4Life on 06/19/2007

Everyone jump on the bandwagon.

I also drive on the 163 every day, this building is so far away, you would have to be blind not to see it. It is not even on the landing or takeoff direction. What really bothers me is the parking structure, directly on the landing path at Lindbergh Airport. I do not see anyone crying about that structure. Once again our officials are doing so much for nothing and not doing enough to fix our real issues.

Mikey, please shut up and go after the Unions milking our city!

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By Airline Family on 06/19/2007

Hi there Tamerican4life, apparently you were not around when the parking structure near Lindbergh went up. If I remember correctly, it was a hot topic (same as sunroad situation) and as always, too late to stop it.

Let's see what Mayor Sanders does with the rest of the Sunroad proposed projects.

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By miguelitosd on 06/19/2007

> "I also drive on the 163 every day, this building is so far away, you would have to be blind not to see it. It is not even on the landing or takeoff direction"

Clearly you know nothing about flying...

It is, in fact, near the flightpath for one runway and during inclement weather, when visibility is at it's worst, is the time that most people are worried about.

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By La Playa Heritage on 06/19/2007

The Sunroad Centrum 12 Building Permit will expired on July 2, 2007, less than 2 weeks from today. Hopefully Mayor Sanders will not renew the illegally obtained Building Permit on which they are out of compliance due to the Penthouse/Utility Room and Phantom Floor.

The following link is to our letter to Ronne Froman regarding documents obtained from the Airport Authority through a Public Records Act Request. The title is "2005 Premediated Corruption under the Guise of Mistakes and Oversight."

<http://www.laplayaheritage.com/Documents/CITY%20OF%20SAN%20DIEGO/Sunroad>

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By GoFurry on 06/19/2007

Regarding the Travel Building on Laurel St. - Aircraft landing on Runway 27 have a 3000 foot offset farther down the runway. This building WAS thoroughly reviewed by the Feds. prior to construction.

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By DudeRancher on 06/19/2007

I too happened to drive by the Sunroad Building and thought that it appeared a safe distance from Montgomery Field. I didn't measure it, but it had to be about a mile away from the landing strip. From the ground, it really makes you wonder what all the fuss is about. It doesn't even look to be as tall as you see in all the pictures... But then, I'm not a pilot either and can't comment with any certainty you could argue. So I suppose we should all leave that up to the experts at the FAA. I suggest you all drive by the structure and see for yourself and judge how you would approach for a landing.

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By i want it all on 06/19/2007

Really folks. This airport is a rediculous use of land for the rich. That new building will bring in more revenue for the City of SD than the entire airport. Image if we could redevelop the whole airport site? If the rich boys need their toys and can't swing left instead of right then put them out in the sticks where they belong. We should be demanding that they adjust their emergency landing zone so we can have more income generating buildings.

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By Bud_SD on 06/19/2007

Google Earth shows it as 0.65 miles to the end of the closest runway.

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By Bud_SD on 06/19/2007

I see the Sunroad hacks have found their way, here.

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By Bandarito on 06/19/2007

Ban airplanes!

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By sdyaman on 06/19/2007

What purpose do municipal airports have? Are they government owned and operated? If so, I say we demo the thing and use the much needed space for practical purposes. How many municipal airports are in San Diego County? 10?

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By TAmerican4Life on 06/19/2007

Airline Family, I was around and that building does impose a hazard. miguelitosd, Not all of us are flyboys, but common sense I do have. I have put the building and the airport at .8 miles away.
Will 20 feet less really make that building safer?
Please, this is just politics and business and nothing more or less.

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By crash on 06/19/2007

Here's an idea. FOLLOW THE RULES OR PAY THE CONSEQUENCES. If Sunroad doesn't like the rules, fine, they should work to change them. Simply ignoring them should result in a STIFF penalty. This whole thing started when a SUNROAD employee deemed the project, erroneously, exempt from these FAA regulations. THAT is where the blame lies.

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By slam22 on 06/19/2007

Again, my question is if the city knew about the height restriction (which they did) then why did they issue the building permit in the first place? They should not have issued the permit for the 180 ft. So why did they? It seems like the city is trying to change the rules after the game has already been played. This is just another example of how our city is run by imbecille's.

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By ducraker on 06/19/2007

This is a bit off the illegal Sunroad construction topic, but I'd like to ask a question.

i want it all sez:

"This airport is a rediculous use of land for the rich. That new building will bring in more revenue for the City of SD than the entire airport."

I've lived in San Diego for the better part of 60 years, 40 of those being in the construction business. In that time I have seen my share of commercial developments similar to the one you suggested, "to redevelop the entire airport site", that were touted to bring so much revenue to the city you'd think we'd have enough money to pave the streets with gold, instead of the potholes we're learning to live with.

Why is it the city never seems to have enough money? Where does it all go? With all the prior development you'd think the city treasury would be flush with cash, to over flowing if all this "revenue" being generated were a reality, but it doesn't seem to work that way, now does it? I'd say the notion of continued development as a source of "revenue" is crap.

In the 60 years I've been in San Diego all I've seen is lot's of development, a bankrupt city treasury, and a landscape looking more and more like that s--thole to the north of us, Orange County. Going fast is the main reason people came to San Diego, to escape from their own over developed hellholes.

As for Sunroads' non-compliant construction project, take it down to the original 3 stories dictated by the Master Plan for buildings in that area.

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By chargerfan4ever on 06/19/2007

I root against Aguirre 100% of the time just out of principle. Go Sunroad!

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By slogan621 on 06/19/2007

I'm a licensed pilot, and have been flying out of Montgomery since 1991.

I flew there this past weekend, and the building was absolutely no factor to me, and this is true for 99% of the pilots that fly in and out of that field.

The problem, however, is when the clouds are low, and the visibility is low, and pilots must approach and land using their instruments. Some of these kinds of approaches require the pilot to, somewhat imprecisely, find the field, and then execute a low circle around the field to align themselves with the runway for landing. It is during this time that high obstructions within a certain distance of the field are potentially very dangerous.

Will this type of landing happen much? No. How likely is it that a pilot, executing such an approach, will run into that building? Somewhat smallish in my opinion. Will it happen someday. Probably. And that is the crux of the issue. Since it *might* happen, and knowing what I know about the FAA, they would like to eliminate the possibility entirely.

The parking structures near San Diego Airport, by the way, are so far below the glideslope on final approach that if a plane were to hit them, they were already headed for the ground at that point. Meaning, they are irrelevant.

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By pinkcat on 06/19/2007

I'll bet the workers for sunroad are "illegal"? Now we got'em.....

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By myview on 06/19/2007

I say we just ban cloudy days then we would solve this problem for both sides.....

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By JohnieB on 06/19/2007

I'm not a pilot...but on this topic I would listen to what licensed pilots - those who actually fly - have to say about the height of the building and where it's located. From everything I've read and heard - I have not heard a single pilot argue that the building is NOT a problem; meaning they agree it will be a hazard if left as is. As usual, the city screwed up by issuing permits; then you get the biggest idiot at city hall - Aguirre - involved and this is your typical San Diego mess. We need to change our slogan from "America's Finest City" to "America's Stupidest City". We're a joke to every other major city in America and we've become an embarrassment.

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By JohnieB on 06/19/2007

Where's Pete Wilson when you need him! lol

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By djrobsd on 06/19/2007

To the people who say Montgomery Field is a waste of taxpayer dollars, you are completely ignorant. Regional airports play several important roles in the field of aviation. They alleviate commuter traffic from the main airport, so that more commercial jets and cargo jets can land there. Our airport is already overcrowded, that shifting all the small planes there would create many more issues.

In addition, you all like to get on a pretty 747 and fly on your vacations right? Well, chances are, that pilot flying your plane safely learned some of his flying skills at a little tiny airport like Montgomery Field.

So, before making foolish statements, perhaps you need to think about what you're saying. Small airports alleviate congestion at bigger airports, and they provide a place for pilots to safely learn how to fly without getting in the way of big jets at a large airport!

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By Bobbaloo36 on 06/19/2007

The problem is that Sunroad made a crucial mistake...No, not the height of the building. Nothing to do with planing, or construction. They didn't go far enough with the bribe trail. Even though they contributed a healthy amount to the Mayors campagne, they also should have sent a few bucks to appropriate people at the FAA to ignore, or look the other way. They should have known better

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By Rider on 06/19/2007

Where were all these politicians during groud breaking?? Do they know what to look for on the plans or do they need to see the building near completion before they bring up safety concerns. I think we're all in a bit of trouble if these are the kind of idiots running our city.

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By barbsinsd on 06/19/2007

Who's responsible?

Who issued the permits..... who signed the paperwork?

THAT's who's responsible.

Plain and simple!

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By fetch on 06/19/2007

Watching the flight traffic out of Montgomery for 40+ years it always appears to the West or South. North of the field the space seems to belong to Miramar's traffic. If the Sunroad Building is a problem in "bad weather," that pilot should stay safely on the ground. I wish Mr. A would work on something serious, like those 'killer' potholes.

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By Rider on 06/19/2007

"The mayor with a stroke of his hand can stop construction and set in motion a plan to resolve this matter," Aguirre said

There's the problem, too much hand stroking.

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By Katherine on 06/19/2007

Mr. Aggravating seems to have nothing better to do than scrounge around in the refuse cans at city hall to try to find obscure issues to blow up into time consuming problems. If KUSI wouldn't give him so much air time, his ego might shrink enough to stop wasting time and money. As he said, if the public doesn't like the job he's doing, then don't re-elect him...I might add...or vote him into any other office!

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By chargerfan4ever on 06/19/2007

How can you blame Sunroad for ignoring a beligerant and anti social boil on the of society like Aguirre? How is anyone supposed to take anything he says about anything seriously?

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By RECAL BIG MOUTH MIKE on 06/19/2007

Will someone put a sock in Aguirre's big fat mouth or sew it shut? This loud mouth bipolar Napoleon midget's diatribe on everything and anything has gotten old and stale.

This incompetent city attorney has got to go!!!!

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By Casual Observer on 06/19/2007

Has anyone kept updated on all that was going on? Sunroad register plans to build another building, 176 Feet tall. No real problem except he wanted to put it on Harbor Island.

Just likes kids, you let them do one thing and get away with it and they will try to get away with so many more things. Rules are rules and laws are laws. Whether we like them or not, they are there and we follow them. At least most of us do.

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By JoeMcCarthy on 06/19/2007

Can we put a stop work order on Crazy Aguirre?

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By talkingsparrow on 06/19/2007

Where's the UT article on the mobile home park in (mission Valley) Grantville, that was just bought by a developer to build luxury apartments? I'm curious to know who the developer is - or maybe they're in bed with UT and the city. DUH

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By talkingsparrow on 06/19/2007

Where's the UT article on the mobile home park in (mission Valley) Grantville, that was just bought by a developer to build luxury apartments? I'm curious to know who the developer is - or maybe they're in bed with UT and the city. DUH

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By cityboy on 06/19/2007

As usual...most of you unthinking clowns are aiming your fury at Aguirre.

The CITY of SAN DIEGO APPROVED the plans for this building. Blame the hacks in the Planning Department who gave the go-ahead (and possibly those who have pocketed Sunroad's "donations:").

Shooting the messenger (or wanna-be KING) gets one nowhere.

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By chargerfan4ever on 06/19/2007

Cityboy, name another city anywhere where the City Attorney acts completely independant of the Mayor and City Council? He files lawsuits on his own behest, and not theirs. This is not how city governments are supposed to function. How is anyone ever supposed to do business in San Diego with the threat of yet another nuisance lawsuit by Aguirre. His potential for trying up people and business in needless litigation is incalculable. Just ask the Chargers! If this were not enough of an outrage, he has the most belicose and toxic personality of anyone I've ever seen. Throw in a little genocide and you have the evil twin of Saddam Hussein.

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By Brawler73 on 06/19/2007

Sunroad 12 is looking good isn't it, though I am surprised they have got away with so much this far. I wonder if Sunroad 14 (which is suppose to go next to Sunroad 12) is every going to get started.

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By NelsonLaugh on 06/19/2007

I just hope the Sunroad executive and legal offices are located on the questionable floors . I don't want to see anything bad happen but Kharma does have it's way.

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By donnajeanw on 06/19/2007

More and more we will see these lose-lose situations in San Diego. Regarding the Sunroad Building and Montgomery Field: Either a possibly corrupt, at least incompetent Mayor wins, the building stays, the FAA shuts down the airport, and the rich developers get the land on a silver platter; or the mad hatter masquerading as the City Attorney wins and is emboldened by his rare victory to become even more insane.

BTW, where does the money go in San Diego? Remember any of these: Susan Golding, the Republican National Convention, Chargers' Ticket Guarantee, two Superbowls? Political aspirations are expensive, if fleeting.

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By RETIREDHIPPIE on 06/19/2007

O.K. the city attorney is out of the picture. How does that solve the problem with the building? The fact is, the building is still too high. Why are so many people having a problem understanding that? How is it that it is the city attorneys fault? Is he, and everyone else, supposed to ignore that fact and keep letting a conected few, get away with whatever they please?

The real problem seems to be the fact that so many people in this city are fine with all the graft and crooked city officals.

Speaking for myself, I don't get a cut of the goods that are exchanged for letting illegal things happen.

The building is too high no matter who the city attorney is.

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By any_user on 06/19/2007

The sudden barrage of pro sunroad posts in this forum is a sure sign of panic on the ship. Perhaps Sunroad has reassigned the crew from the upper floors to the computer room to counter the majority who oppose breaking the law to allow a hazardous building to remain.

San Diego may ultimately be responsible for issuing a permit illegally, however that is only because we unknowingly elected officials who went against the publics best interest and broke laws to accomodate their rich backers. Once again the taxpayers will be forced to foot the bill, however before we do so there will be some changes:

- 1) The hazard will be removed
- 2) those responsible for allowing the hazard to be built will be removed
- 3) Anyone who broke the law in the process will be prosecuted
- 4)Any projects which involve the same players in the past will be investigated to insure that laws were not broken like they were here.
- 5)There will be a better system of checks & balances implemented to minimize the possibility of rogue /corrupt officials exposing the taxpayers to liabilities such as this by backroom dealing and insider favors.
- 6) The city atty's budget will be not only restored, but enhanced as will his powers to allow him the necessary tools to investigate corruption, and protect the citizens of San Diego without fear of retaliation or being unjustly slandered in the process.

Once again San Diego has been fooled by developers disguised smooth talking politicians. It is going to be a long time before we get fooled again, you can bank on it.

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By BStrong on 06/19/2007

I'm certainly NOT for Sunroad, but do wish that the city could spend its money on better things like fixing those potholes (I remember almost being thrown into another lane on Pomerado Rd once, and I drive a pickup. Fortunately, they tend to fix that road fast).

I say we just kick Sunroad out, give another developer a discount to remove those 2 floors, and spend the money on better things. Oh, if only life with governments could be easy...not sure why everyone clamers for the government to fix their lives for them - they're just asking for more of this.

Do you think this will at least stop the 2 Sunroad buildings down on Harbor before a 727 goes down? Hmmm, not sure why I doubt it.

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By cityboy on 06/19/2007

Ahhh...ChargerFan! As with your team's one-and-out-of-the-playoffs mentality, you have completely failed to glean the intended point of my text.

For a bit of perspective, might I offer donnajean's final paragraph. Also, read retiredhippie's offering. Again, the real problems are examined.

Many of the City's problems began long before you knew the name 'Aguirre.'

Even though you ventured off topic, I shall endeavor to appease you. 'Your' Chargers (led by the charlatan Fabiani) are the true harlots of the league. We fans 'bent over' for 8 long years (and endured truly crappy teams, I might add) and subsidized this team with the Ticket Gaurantee.

Now...the want to bolt (excuse the pun) to the highest bidder? Sounds like eternal loyalty to me (?). No better than the local, street corner hooker...in search of her next trick.

And your Aguirre/Saddam comparison...doesn't really dignify a response.

P.S. I have a Steve Foley jersey for sale...verrrrry cheap!

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By healthybythesea on 06/19/2007

Mr. Aguirre seems to a champion of the kangaroo court. Anyone and everyone whom he targets, is guilty of "corruption" a vague yet exciting word.

Mr. Sanders may not be specifically corrupt, but he is certainly a part of the plan to convert the Montgomery Field area into a huge land boom for developers. This building is the start of the closure of the airport and greater wealth for developers. Poor Mr. Sanders as usual doesn't really understand where he is.

While Mr. Aguirre is too enthusiastic - and embarrassing - Mr. Sanders is too stupid and clueless - and embarassing. He has to be the stupidest Mayor in the history of this City. Just watch him when he tries to stumble over a speech to ANY group.

On the other hand, there are many really hot "adult" type businesses in the Montgomery Field area. If the airport closes, maybe we can make this a smoking hot adult sex zone!

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By Sullivan Smilligan on 06/19/2007

Funny, the people who are in favor of Sunroad's building don't seem to have any actual arguments for their position.

It has been fully established that Sunroad built in violation of FAA rules. Nobody is denying that. It is also clear that they were aware of these violations and moved to have them dismissed or ignored, rather than attempting to make changes that would put them in compliance.

Nobody is denying any of these facts. Yet people still defend Sunroad? Why? Because you don't like Aguirre? Or because you don't like it when people call it like it is?

Here's a simple solution: Sunroad changes their plans and removes the top two stories of their building. How hard would that be for them to do? What paltry percentage of the total cost of the building would it take to re-draw the architectural plans? Why isn't everybody 100% behind this solution?

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By a1amoeba on 06/19/2007

how dare aguirre point out the flaws of our beloved leader? his silk robe is the finest in all the land!!!!!!!!!!

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By cityboy on 06/19/2007

Sullivan,

Good points. Not necessarily 'defending' either side here, as errors were made by all parties involved.

Re your assertion: "It has been fully established that Sunroad built in violation of FAA rules." I recall hearing that the building is just OUTSIDE the purview of FAA oversight/jurisdiction.

I believe they only weighed in with a 'strong advisory against' opinion.

Can anybody shed any light on this? Thanks...

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By GoFurry on 06/19/2007

Hey! Here's a really stupid idea that the city might go for - raise all the runways at Monkey Field 20 feet to compensate for the Sunroad Cessna Catcher/ Piper Plucker/ Mooney Masher/ Robinson Wrecker.

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By bajaman on 06/19/2007

I have flown into that airstrip in heavy fog with a 200 foot ceiling. It was a very dicey approach because the pilot was not very experienced although he had his instrument rating. We came in wide to one side and had to abort the landing. Pulling up as hard as we could with the motor howling and not being able to see anything was very unnerving. My thought the entire time was whether we were going to collide with a building or some other structure that we could not see. So when you drive by during a clear sunny day and looking at that building and question the safety calls of the FAA, try thinking about someone making an approach in zero visibility. The margin of safety has to be with the pilots that use that air field. Are you really dumb enough to let developers and corrupt city officials negate safety standards that are already in place?

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By cityboy on 06/19/2007

To Baja...

>>

Not a pilot here...but, in such severe weather...why take a chance like that???

You've got Gillespie and Ramona to the immediate East (where the visibility HAD to be better).

Rather than trying a Rambo-style landing, perhaps your 'student pilot' should have employed better judgment and stowed his/her ego...

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