



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 6, 2010

Project# 1008093

09DRB-70377 SUBDIVISION DESIGN VARIANCE FROM MIN STANDARDS

PNM request(s) the referenced/ above action(s) for an **OVERHEAD ELECTRIC DISTRIBUTION LINE** located on ATRISCO DR NW, SCENIC DR NW, UNSER BLVD NW, AND URRACA ST NW, from Volcano Vista High School to La Cuentista Subdivision. (C-9, D-9, D-10)

The Public Service Company of New Mexico's (PNM) has requested a variance to the undergrounding requirements of Section 14-14-4-9(B) Electrical and Communication Line Locations of the City Subdivision Ordinance, to place new electrical three phase distribution line aboveground on the northwest mesa, generally from Volcano Vista High School to La Cuentista Subdivision along Atrisco Dr NW and Unser Blvd NW.

Section 14-14-4-9(B) of the Subdivision Ordinance states: "The Development Review Board may grant a variance...if it is determined that no significant public purpose would be served by requiring the new lines be placed underground and that one or more of the following conditions exists: (1) the immediate or adjacent area is presently served by overhead lines; or (2) subsurface conditions make underground lines economically unreasonable."

The variance request is subject to the policies of the Albuquerque/Bernalillo County Comprehensive Plan, the Northwest Mesa Escarpment Plan, and the West Side Strategic Plan

At the January 6, 2010, Development Review Board meeting, the subject variance request was denied based on the following Findings:.

1. A significant public purpose is served by requiring the placement of the new lines underground because:
 - a. Policy II.C.8.a of the Albuquerque/Bernalillo County Comprehensive Plan item 2) states that development and subdivision standards are to encourage solutions which are not limited to engineering effectiveness, and item 4) states that utilities are to be designed with respect for environmental and visual factors.
 - b. Policy II.C.8.b of the Albuquerque/Bernalillo County Comprehensive Plan states that utilities shall be designed to realize opportunities for City beautification, with qualitative standards for development.

- c. Policy II.C.8.c of the Comprehensive Plan states that incidental structures such as wires and poles shall be designed for minimal visual intrusion.
- d. Policy 1.a of the Northwest Mesa Escarpment Plan states that the unique visual qualities of the escarpment are to be conserved.
- e. Policy 1.d of the Northwest Mesa Escarpment Plan states that views to and from the escarpment are recognized as important.
- f. Policy 4.6 of the West Side Strategic Plan states that the Overhead Utilities Section of that Plan became policy upon plan adoption. The Overhead Utilities Section states that electrical distribution lines should be placed underground consistent with the City's Subdivision Ordinance.

2. Other private development in the immediate and adjacent area of this request has constructed and is served by underground distribution lines and other underground utilities (e.g. Vista Vieja, La Cuentista, and The Trails). There is a significant amount of platted but undeveloped land in the immediate area that is presently unserved by PNM. To allow the placement of overhead distribution lines could set a precedent to justify the remaining undeveloped land, some of which is within the Impact Area of the NW Mesa Escarpment Plan, to be served by overhead lines.

3. There is a significant public purpose in placing the lines underground because overhead lines create potential safety hazards to children, vehicular traffic, and balloonists, and are aesthetically displeasing because they obstruct and, therefore, detract from the natural landscape.

4. Subsurface conditions have been overcome by other private development in the area as noted in Finding No. 2, therefore the installation of underground lines is not economically unreasonable.

If you wish to appeal this decision, you must do so by January 21, 2010, in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal.

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).



Jack Cloud, AICP, DRB Chair

Cc: Rene Horvath – 5515 Palomino – Albuquerque, NM 87120
Cc: Joe Archbold – P.O. Box 65888 – Albuquerque, NM 87193-5888
Cc: Elisa Balli – 6912 Nacelle Rd NE – Albuquerque, NM 87144
Cc: Tom & Diana Griego – P.O. Box 67077 – Albuquerque, NM 87193
Cc: Gerry Falls – P.O. Box 20760 – Albuquerque, NM 87154
Cc: David Stang – 7609 Northridge NE – Albuquerque, NM 87109
Cc: Debbie Tony Madrid – 3801 Manchester NW – Albuquerque, NM 87107
Cc: Anthony Navarro – 1542 Yakima SW – Albuquerque, NM 87105
Cc: Barbara Mueller – 4904 Alberta NW – Albuquerque, NM 87120
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