



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 28, 2012

Project# 1009164
12DRB-70070 ELECTRICAL LINE LOCATION VARIANCE

PNM request(s) the referenced/above action(s) for an OVERHEAD DISTRIBUTION LINE between **Innovation Substation 13 Feeder and Four Hill Substation 12**, located at JUAN TABO BLVD SE and MONACHOS RD SE south of the TIJERA ARROYO. (M-21 & 22)

At the March 28, 2012 Development Review Board meeting, the electrical line location variance for an overhead distribution line was partially approved for four poles on the west side of Juan Tabo Boulevard SE.

Findings

In accordance with the Subdivision Ordinance, Section 14-14-4-9 which specifies criteria for a variance to be approved, the Board makes the following Findings:

1. The variance is approved for the portion of the requested variance west of Juan Tabo Boulevard SE.
 - a. The proposed distribution line will connect with an existing overhead distribution line on the west side of Juan Tabo Blvd SE.
 - b. This is a slope area in or adjacent to the flood zone of the Tijeras Arroyo which presents subsurface and surface conditions that would unreasonably affect the economics of constructing and maintaining underground distribution lines.
 - c. There is no significant public purpose served by requiring this portion of the new distribution line be placed underground based on existing overhead transmission lines, the shorter height of the proposed distribution line poles combined with the lower elevation of the slope area from the adjacent street and private property, and the minimum number of poles.

2. The variance is denied for the portion of the requested variance east of Juan Tabo Boulevard SE.
 - a. The existing overhead distribution lines at the east end of the proposal are located on the site of an approved preliminary plat, which will result in the construction of underground distribution lines to replace these existing overhead lines.
 - b. Regarding subsurface conditions, it is again noted that the area on the east side of Juan Tabo Blvd SE is in the approval process for development which will result in the existing overhead distribution lines

being replaced with underground distribution lines; the cost differential presented in Appendix D addresses the standard difference in underground vs. overhead construction and is not based on unusual subsurface conditions.

CONDITIONS:

1. The location of the fourth pole may be adjusted from as shown in Appendix C to allow for the transition to go underground beneath Juan Tabo Blvd SE.
2. Appendix D shall be revised to reflect the partial approval for the western portion of the variance request.

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, DRB Chair

Cc: City Attorney
file