



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 13, 2014

Project# 1010164

14DRB-70255 SUBDIVISION DESIGN VARIANCE FOR OVERHEAD ELECTRICAL
LINE LOCATION

PNM requests the referenced/ above action for an Overhead Distribution Line to be located on the East Side of JEFFERSON STREET NE from the south side of ELLISON ST NE to MASTHEAD ST NE.
(D-17)

At its August 13, 2014 meeting, the Development Review Board found that the requested variance would be injurious to the public safety, welfare and adjacent property, and would conflict significantly with the Comprehensive Plan and Electrical Facilities Plan [§14-14-6-3 of the Subdivision Ordinance], and the variance was denied based on the following:

- 1) This segment of Jefferson Street is designated an *Enhanced Transit Corridor* in the City of Albuquerque/Bernalillo County Comprehensive Plan. It is also being considered for future bus rapid transit (BRT) service; the proposed distribution line may impinge upon future transit service and the pedestrian environment needed to accommodate such service.
- 2) Public testimony from adjacent property owners indicated that the visual impact of overhead lines would be incompatible with the developed landscape and negatively affect land use values.
- 3) The existing overhead lines in the immediate area are predominantly in easements and only cross the City public right of way latitudinally.
- 4) It would serve a significant public purpose in accordance with the Subdivision Ordinance to require new distribution lines to be installed underground, similar to existing lines in public right of way along Jefferson Boulevard.

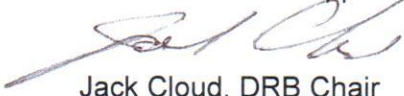
If you wish to appeal this decision, you must do so by 4:45 PM on August 28, 2014, in the manner described below per Part 14-14-8 of the Subdivision Ordinance.

Appeal is to the City Council via 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 with a total fee of \$240, to the Planning Department. Applications for an appeal shall clearly articulate the reasons for the appeal; appellants shall specifically cite and explain one or more alleged errors, as follows:

- (A) Error in applying adopted city plans, policies, and ordinances;
- (B) Error in the appealed action or decision, including its stated facts;

(C) Error in acting arbitrarily or capriciously or being manifestly abusive of discretion.

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:

PNM

Lowell A. Hare – 7777 Jefferson St NE 87109

Matt Lammers – Suite #200 - 6300 Riverside Plaza Ln NW 87120