



**City of Las Cruces**

**Community Development  
Interoffice Memorandum**

**To:** All Files Related to the Concept Plan and Final Site Plan Files for Phase 2 of the Pueblos at Alameda Ranch

**From:** Todd Taylor, Associate Planner *TT*

**Subject:** Setbacks for Townhomes within Phase 2, Replat No. 1, of the Pueblos at Alameda Ranch, Planned Unit Development (PUD)

**Date:** September 13, 2012 M-12-210

The following information identifies the position of Community Development staff after reviewing the files and correspondence regarding the setbacks for townhome lots within Phase 2, Replat No. 1, of the Pueblos at Alameda Ranch, Planned Unit Development (PUD).

**Background**

The Pueblos at Alameda Ranch Phase 2 Concept Plan was approved by the City Council on May 23, 2005 (PUD-04-09). Within the Concept Plan, setbacks for Lots 129 and 130 (later changed to lots within The Pueblos at Alameda Ranch, Phase 2 Replat No. 1) were listed as the following:

Front	20'	Side	7'
Rear	10'		

Following Concept Plan Approval, the Pueblos at Alameda Ranch Phase 2 Final Site Plan was approved by the Planning and Zoning Commission on December 13, 2005 (PUD-05-04). The Final Site Plan indicated that the setbacks for Lots 129 and 130 would be:

Front	20'	Side	0' or 7'
Rear	10'	Open Space	10'

A Minor Amendment to the PUD for the Pueblos at Alameda Ranch Phase 1-3 was approved by the Planning Administrator on December 13, 2006 (PUD-06-06), however,

this amendment dealt with the setbacks for courtyards, port-cocheres and similar drive-through structures with roofs.

A replat, The Pueblos at Alameda Ranch, Phase 2 Replat No. 1, was administratively approved on June 21, 2007 (S-07-002). The replat changed the area which had been identified as Lots 129 and 130 and created 76 lots for townhomes.

A letter from Mr. John Moscato to Mr. Vincent Banegas, dated January 29, 2008, had been placed in the Permit Technician's files. This letter indicated that the setbacks had been intended to be changed at the time of replat to:

<b>Front</b>	<b>15'</b>	<b>Rear</b>	<b>10'</b>
<b>Garage</b>	<b>20'</b>	<b>Side</b>	<b>0' or 5'</b>

The letter also included a Buildable Area Plan that showed how townhomes would be clustered into groups of two, three and four. The letter has been attached as Exhibit A.

### **Staff Position/Summary**

The issue at this time is that there is no record of any amendment being made to modify the setbacks for those areas identified as Lots 129 and 130 in the adopted Concept Plan or the Final Site Plan. Also, due to notes within the Permit Technician's files, staff has been approving building permits for townhomes utilizing the setbacks which were identified in the letter from Mr. Moscato dated January 29, 2008.

Therefore, it is staff's position that an official determination had previously been made regarding the lots within The Pueblos at Alameda Ranch, Phase 2 Replat No. 1; and that the determination was to **use the setbacks as identified in the letter and Buildable Area Plan** from Mr. Moscato.

cc: David Weir, Community Development Director  
Vincent Banegas, Community Development Deputy Director  
Robert Kyle, Building and Development Services Administrator *RK*  
Katherine Harrison-Rogers, Senior Planner *KHR*

## Exhibit A

January 29, 2008

Mr. Vincent M. Banegas  
Community Development Department  
City of Las Cruces  
575 S. Alameda Blvd.  
Las Cruces, NM 88005

Dear Vince,

I am writing in connection with The Pueblos at Alameda Ranch, Phase 2 Replat No. 1, which we commonly call the Phase 2 townhouse lots.

As I mentioned to you yesterday, the PUD Document for the overall Phase 2 project contains language regarding the Phase 2 townhouse lots (which were originally going to be numbered as Lots 131-210 but which were instead part of a replat) that anticipated that the setbacks would be included on the plat: "Setbacks and property lines are shown on the plat and can be adjusted when requested and will be approved administratively by staff." However, when we submitted the final plat of Phase 2 Replat No. 1 for approval approximately a year later, we were told by staff that the policy was now *not* to show setbacks on the final plat. Therefore, we find ourselves in a situation where neither the PUD Document nor the final plat contains information on setbacks. To avoid any confusion regarding setbacks when builders submit house plans for permits, I think it would be a good idea for a statement about setbacks for the Phase 2 townhouse lots to be in the project file at your department.

The setbacks discussed before DRC and elsewhere are as follows:

front house: 15 ft.

front garage: 20 ft.

side: zero (except at the end of a cluster of buildings, in which case it will be 5 ft.)

rear: 10 ft. (except those lots bordering Calle Abuelo, in which case it will be 15 ft., and except for those lots lacking rear access, for which the fire code restriction noted below applies)

The fire code restriction referred to above is noted on the project's Buildable Area Plan (attached). This restriction establishes a maximum 150-ft. distance "measured from the back of curb to the most distant point in the buildable area," excluding covered patios through which side access is unimpeded.

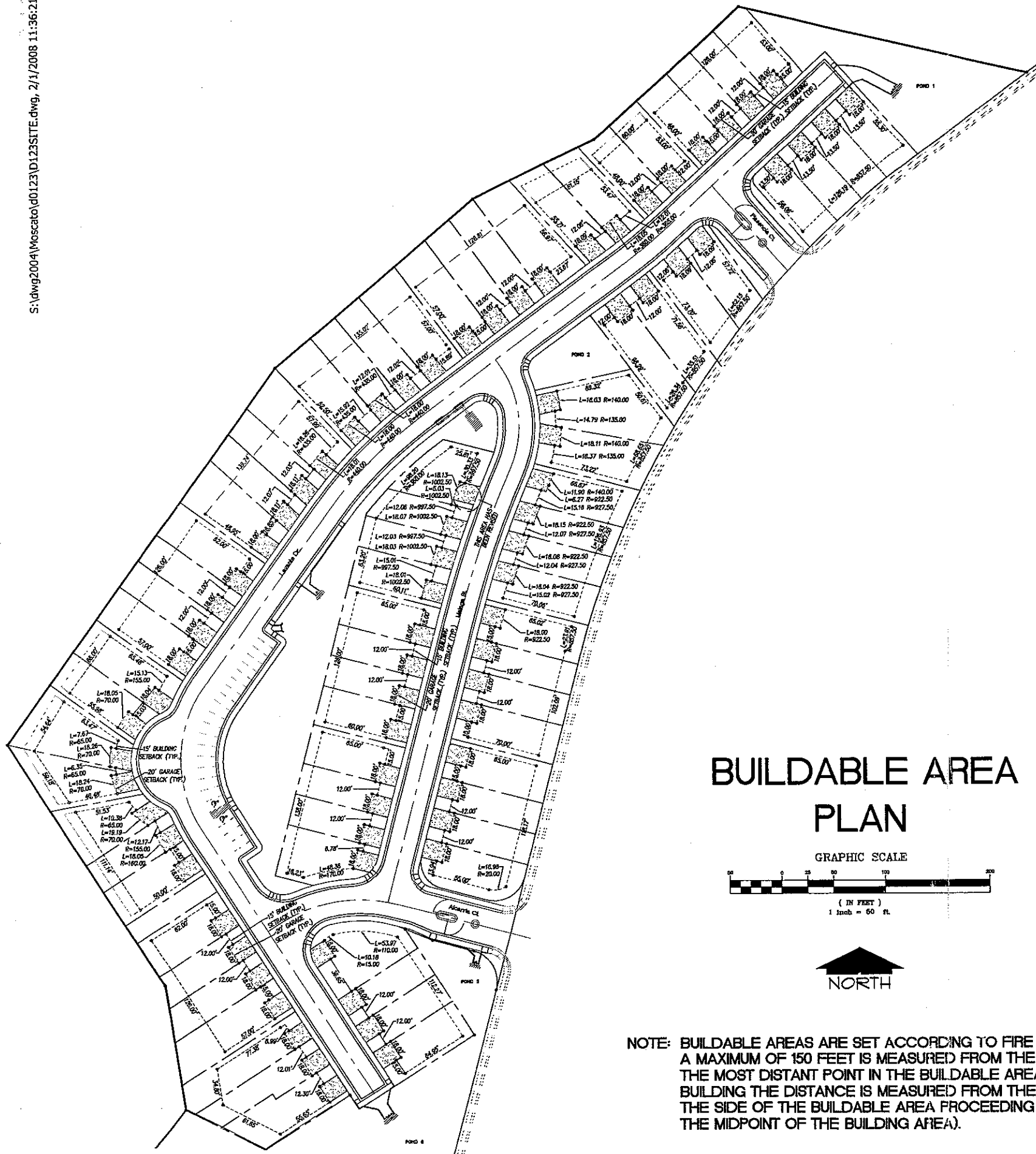
Please note that the side setback of 5 ft. at the end of all building clusters will result in a 10-ft. separation between building clusters.

Thank you for considering this request. I look forward to hearing from you. Please do not hesitate to contact me if you want additional information.

Very truly yours,

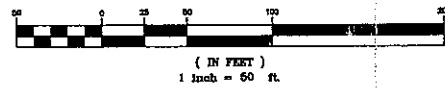
John Moscato  
President

attachment

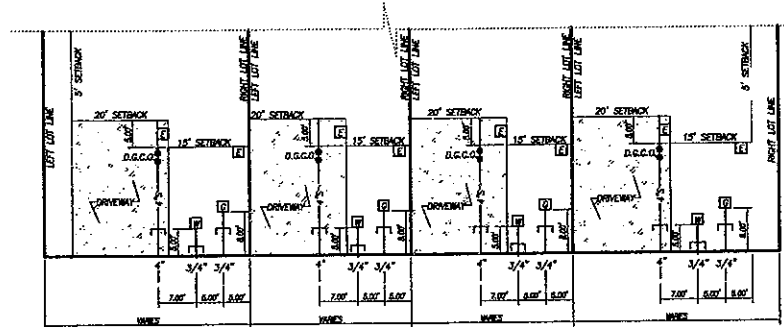


# BUILDABLE AREA PLAN

GRAPHIC SCALE



NOTE: BUILDABLE AREAS ARE SET ACCORDING TO FIRE CODE RESTRICTIONS. A MAXIMUM OF 150 FEET IS MEASURED FROM THE BACK OF CURB TO THE MOST DISTANT POINT IN THE BUILDABLE AREA (E.G. FOR A 4 UNIT BUILDING THE DISTANCE IS MEASURED FROM THE BACK OF CURB ALONG THE SIDE OF THE BUILDABLE AREA PROCEEDING ALONG THE BACK TO THE MIDPOINT OF THE BUILDING AREA).



**LEGEND**

- 3/4" WATER SERVICE LINE W/ METER
- 3/4" GAS SERVICE LINE W/ METER
- 4" SEWER SERVICE LINE W/ DOUBLE W/ DOUBLE GROUND CLEARANCE
- ELECTRIC METER (POSSIBLE LOCATIONS)

NOTES: 1. HORIZONTAL SEPARATIONS FOR UTILITY SERVICE LINES

	GAS SERVICE	SEWER SERVICE	WATER SERVICE
GAS SERVICE	5'	5'	5'
SEWER SERVICE	5'	5'	5'
WATER SERVICE	5'	5'	5'
MIE SERVICE	5'	5'	5'

2. VERTICAL SEPARATIONS FOR UTILITY SERVICE LINES

	GAS SERVICE	SEWER SERVICE	WATER SERVICE
GAS SERVICE	6"	6"	12"
SEWER SERVICE	6"	6"	6"
WATER SERVICE	12"	6"	6"
MIE SERVICE	12"	6"	6"

UTILITY METER LOCATIONS DETAIL  
N.T.S.

**PUEBLOS TOWNHOMES 2**  
PREPARED FOR  
BRIGHT VIEW LAND COMPANY  
LAS CRUCES  
NEW MEXICO

DATE	PHASE
3/16/07	UPDATED
3/21/07	REVISED

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