



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: MAY 21, 2025**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT/OWNER: REBEL LAND & DEVELOPMENT, LLC  
DESIGNATED SERIES D**

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**\*\* STAFF RECOMMENDATION(S) \*\***

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>25-0168-ROC1</b>	Staff recommends DENIAL, if approved subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      22

**NOTICES MAILED**                      644

**PROTESTS**

**APPROVALS**

**\*\* CONDITIONS \*\***

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**25-0168-ROC1 CONDITIONS**

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**Planning**

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-28323) shall be required, except as amended herein.
2. Condition of Approval Number Five (5) of Special Use Permit (SUP-28323) shall be removed upon final approval.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting a Review of Condition Number Five (5) of approved Special Use Permit (SUP-28323) which prohibited the sale of individual containers of beer or wine at 890 North Pecos Road. The applicant is requesting the ability to be able to sell individual containers of beer and wine.

**ISSUES**

- Condition of Approval Number Five (5) of Special Use Permit (SUP-28323) states, "The sale of individual containers of any size of beer or wine coolers is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted." Staff supports the conditions placed on the approved Special Use Permit by the City Council and therefore recommends denial of the Review of Condition request.

**ANALYSIS**

On September 17, 2008 the City Council approved a request for a Special Use Permit for a Beer/Wine/Cooler Off-Sale Establishment within a proposed convenience store with a Waiver to allow a 100-foot distance separation where 400 feet is required from a City Park at the southeast corner of Washington Avenue and Pecos Road. During the City Council hearing for the Special Use Permit, the Council imposed an additional Condition of Approval prohibiting the sale of individual containers of beer or wine coolers.

As stated in the justification letter date stamped 04/02/25, "Since the original imposition of the condition, there have been substantial changes in the neighborhood, including the development of additional retail establishments that are permitted to sell single alcoholic beverage containers. This has resulted in an uneven playing field where the subject business is disadvantaged by a condition no longer uniformly applied or enforced in the area."

On April 15, 2025 staff performed a routine field check of the subject. Staff did not note anything of concern during the site visit as the building and immediate area around the building was clean and free of debris and graffiti. Staff did note a small patch of graffiti on a utility box and informed the applicant of the graffiti to which they agreed to be sure and get it painted immediately.

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**FINDINGS (25-0168-ROC1)**

Staff supports the conditions placed on the approved Special Use Permit by the City Council in this case and therefore recommends denial of the Review of Condition request. If approved, this condition will be deleted upon final approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
09/17/08	The City Council approved a request for a Rezoning (ZON-28325) from: R-1 (Single Family Residential) to: C-1 (Limited Commercial) zone on 2.78 acres at the southeast corner of Washington Avenue and Pecos Road. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Variance (VAR-28326) to allow an 11.33-foot setback where residential adjacency standards require 60 feet for a proposed retail development on 2.78 acres at the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for a Special Use Permit (SUP-28323) for a beer/wine/cooler off-sale establishment within a proposed convenience store with a waiver to allow a 100-foot distance separation where 400 feet is required from a City Park at the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval, staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-28320) for a 4,618 square-foot convenience store with fuel pumps; a 748 square-foot restaurant with drive through; a 2,608 square-foot restaurant with drive through and a 9,449 square-foot retail building with a waiver to allow a six-foot, three-inch side yard landscape buffer where eight feet is required on 2.78 acres at the southeast corner of Washington Avenue and Pecos Road. The Planning Commission recommended approval, staff recommended denial.
09/16/09	The City Council approved a Petition to Vacate (VAC-35041) a 10-foot wide public sewer easement on the east side of Pecos Road approximately 140 feet south of Washington Avenue. The Planning Commission and staff recommended approval.

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<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc., continued</i></b>	
12/17/09	The Department of Community development administratively approved a request for a Minor Amendment (SDR-36797) to a previously approved Site Development Plan Review (SDR-28320) for site and building modifications for a proposed 4,240 square-foot convenience store with fuel pumps; a 748 square-foot restaurant with drive through; a 2,608 square-foot restaurant with drive through and a 9,449 square-foot retail building with a waiver to allow a six-foot, three-inch side yard landscape buffer where eight feet is required on 2.78 acres at the southeast corner of Washington Avenue and Pecos Road.
02/25/10	The Planning Commission approved a request for a Tentative Map (TMP-37217) for a one-lot commercial subdivision on 2.39 acres at 890 North Pecos Road. Staff recommended approval.
06/19/13	The City Council approved a request for a Required Review (RQR-48890) of an approved Special Use Permit (SUP-28323) for a beer/wine/cooler off-sale establishment within a proposed convenience store with a waiver to allow a 100-foot distance separation where 400 feet is required from a City Park at 890 North Pecos Road. Staff recommended approval.
08/11/21	Code Enforcement processed a complaint (CE21-03416) for trash accumulated by the homeless within the parking lot at 890 North Pecos Road and the vacant lot to the east. The complaint was resolved on 02/28/23.

<b><i>Most Recent Change of Ownership</i></b>	
01/2003	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
03/05/10	A Building Permit (L-37188) was issued for off-sites for site and building modifications for a proposed 4,240 square-foot convenience store with fuel pumps; a 748 square-foot restaurant with drive through; a 2,608 square-foot restaurant with drive through and a 9,449 square-foot retail building at the southeast corner of Washington Avenue and Pecos Road. The permit received its final inspection on 03/24/11.
12/23/15	A Business License (P63-00427) was issued for beer/wine/cooler off-sales at 890 North Pecos Road. The license is active as of 04/14/25.
	A Business License (L64-00067) was issued for beer/wine/cooler off-sales at 890 North Pecos Road. The license is active as of 04/14/25.
	A Business License (G63-08660) was issued for a convenience store at 890 North Pecos Road. The license is active as of 04/14/25.
	A Business License (G63-08666) was issued for tobacco sales at 890 North Pecos Road. The license is active as of 04/14/25.

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<b><i>Related Building Permits/Business Licenses, continued</i></b>	
02/09/16	A Business License (G64-00592) was issued for ATM machines at 890 North Pecos Road. The license is active as of 04/14/25.
01/31/18	A Business License (G65-08907) was issued for a gas service station at 890 North Pecos Road. The license is active as of 04/14/25.
12/28/20	A Business License (P68-00203) was issued for restricted gaming at 890 North Pecos Road. The license is active as of 04/14/25.
11/02/24	A Business License (G72-06435) was issued for a bitcoin kiosk at 890 North Pecos Road. The license is active as of 04/14/25.

<b><i>Pre-Application Meeting</i></b>	
04/01/25	Staff provided the applicant a submittal checklist for the requested Review of Condition application.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
04/15/25	Staff performed a routine field check to observe the subject facility. Staff noted the site was clean and free of debris. A small graffiti tag was noticed on a utility box and the applicant was advised to be sure to paint over the graffiti and to continue keeping the site free of debris and graffiti.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	1.15

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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Residential, Single Family, Attached	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units Per Acre)
East	Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)
West	City Park	PR-OS (Parks / Recreation / Open Space)	C-V (Civic)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Master 2050 Area: East Las Vegas	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
No Applicable Special Area or Overlay Districts	N/A
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

<b><i>Street Name</i></b>	<b><i>Functional Classification of Street(s)</i></b>	<b><i>Governing Document</i></b>	<b><i>Actual Street Width (Feet)</i></b>	<b><i>Compliance with Street Section</i></b>
Pecos Road	Primary Arterial	Master Plan of Streets and Highways Map	121	Y
Washington Avenue			101	Y