

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING ORDINANCE NO. 1203-15-02-24 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, BY APPROVING A SPECIFIC USE PERMIT FOR A LOUNGE USE ON APPROXIMATELY 1.28-ACRES LOCATED IN THE DOWNTOWN DISTRICT OVERLAY LOCATED AT 701 W PECAN STREET, TO BE KNOWN AS THE EAST PECAN CIGARS 2025; PROVIDING A CUMULATIVE AND REPEALER CLAUSE; PROVIDING FOR A NON-SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, under the authority of Chapter 211 of the Texas Local Government Code, the City of Pflugerville (City) adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

**WHEREAS**, a petition for a Specific Use Permit has been made by the property owner in conformance with the procedures of the City of Pflugerville’s Code of Ordinances, Chapter 157, Unified Development Code for property depicted and described in **Exhibit A**, which is attached hereto and incorporated herein for all purposes (the “Proposed Zoning”); and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on April 7, 2025, and determined that the petition and associated application for the Specific Use Permit met the requirements of Chapter 157, Subchapter 3 (Specific Use Permits) and Subchapter 4 (Zoning Districts and Use Regulations), and recommended approval of the Specific Use Permit for a lounge on the subject site; and

**WHEREAS**, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:**

**SECTION 1.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2.** The City Council finds:

That the Specific Use Permit is in accordance with the City’s Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the City, and is appropriate based on the following criteria: 1) the use is harmonious and compatible with the surrounding existing uses or proposed uses; 2) the activities are normally associated with the requested use; 3) the nature of the use is reasonable; and 4) any adverse impacts on the surrounding area have been mitigated by inclusion of specific provisions related to

paving of streets, alleys and sidewalks, means of ingress and egress to public streets, drainage, off-street parking, protective screening and open space, area or security lighting, heights of structures and compatibility of buildings..

**SECTION 3.** The City Council amends the Official Zoning Map of the City of Pflugerville, Texas adopted in Ordinance No. 1203-15-02-24, as amended, to apply the Specific Use Permit for Lounge Use to the Downtown District Overlay the property, which is described as an approximate 1.28- acre tract of land located at 701 W Pecan Street, located within Pflugerville, Travis County, Texas as shown in **Exhibit A**.

**SECTION 4.** Conditions Accepted by Applicant: The property described herein may be developed and used in accordance with regulations established by this Specific Use Permit, as provided in **Exhibit B** “Conditions” and **Exhibit C** “Conceptual Site Details” and all other applicable ordinances of the City of Pflugerville, Texas, which are incorporated herein; and the applicant, owner and grantee’s have accepted the terms thereof, all of which are required by Chapter 157, Subchapter 3 of the Unified Development Code.

**SECTION 5.** Cumulative and Repealer Clause. This ordinance shall be cumulative of all other ordinances of the City of Pflugerville, Texas, and shall not operate to repeal or affect any other ordinances of the City except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed to the extent of such conflict.

**SECTION 6.** Severability Clause. If any provision of the Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will be void and the property will revert back to the zoning in place before this ordinance’s effective date.

**SECTION 7.** Effective Date. This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

CITY OF PFLUGERVILLE, TEXAS

by:

\_\_\_\_\_  
VICTOR GONZALES, Mayor

ATTEST:

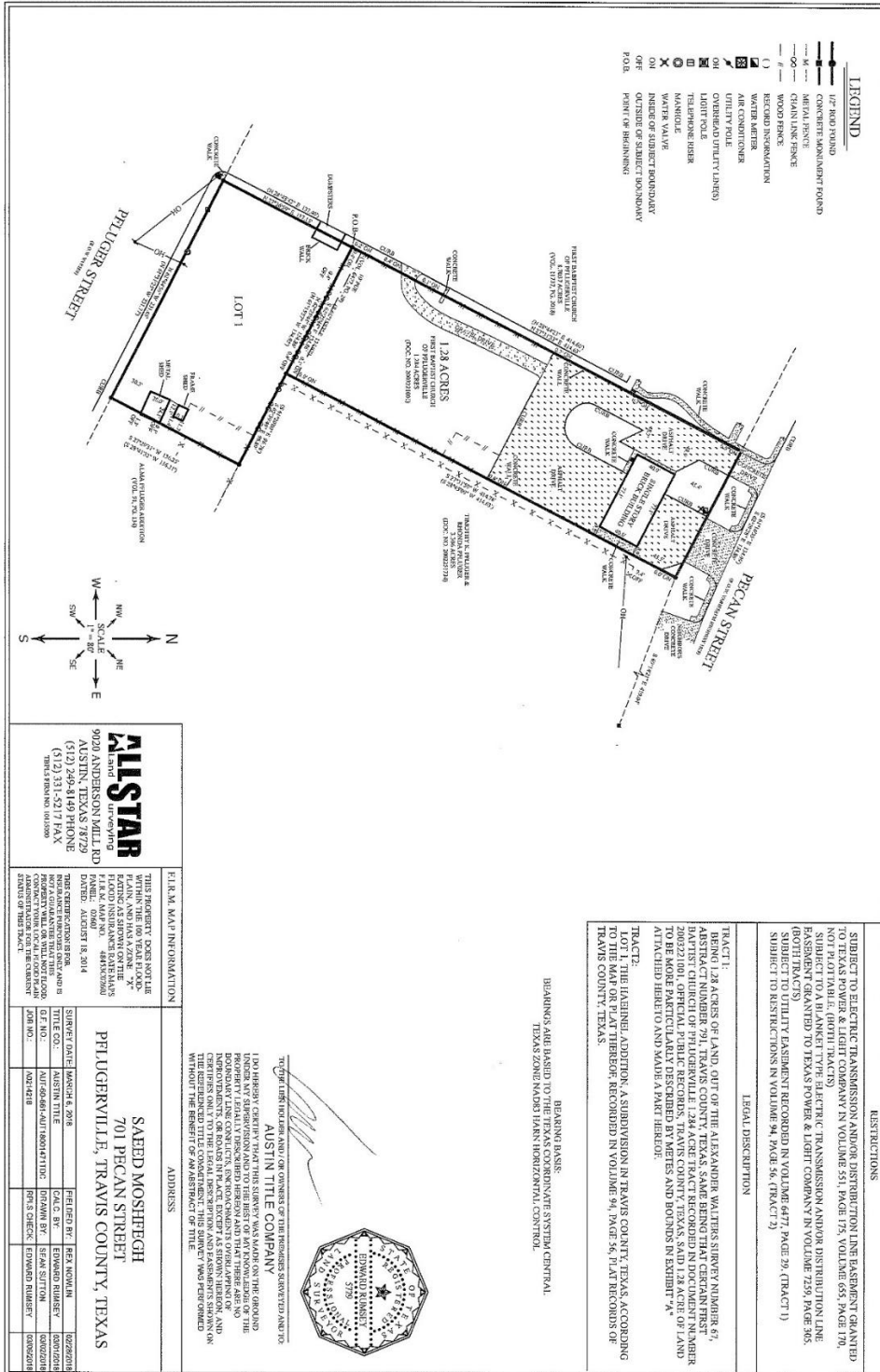
\_\_\_\_\_  
TRISTA EVANS, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
CHARLES E. ZECH, City Attorney  
Denton Navarro Rocha Bernal & Zech, P.C.

# EXHIBIT "A"

(Insert Legal Description/Survey)



**RESTRICTIONS**

SUBJECT TO ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO THE TEXAS TRANSMISSION AND/OR DISTRIBUTION COMPANY IN VOLUME 591, PAGE 175, VOLUME 653, PAGE 178, NOT PLATTABLE, (BOTH TRACTS).

SUBJECT TO A BI-LANKET TYPE ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY IN VOLUME 729, PAGE 365, (BOTH TRACTS).

SUBJECT TO UTILITY EASEMENT RECORDED IN VOLUME 6477, PAGE 29, (TRACT 1)

SUBJECT TO RESTRICTIONS IN VOLUME 94, PAGE 56, (TRACT 2)

**LEGAL DESCRIPTION**

TRACT 1:  
 BEING 1.28 ACRES OF LAND, OUT OF THE ALEXANDER WALTERS SURVEY NUMBER 67, ABSTRACT NUMBER 791, TRAVIS COUNTY, TEXAS, SAME BEING THAT CERTAIN FIRST PARTER 2009221001, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 1.28 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TRACT 2:  
 LOT 1, THE HAINNEI, ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 94, PAGE 56, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

BEARINGS AND DISTANCES TO THE TEXAS COORDINATE SYSTEM CENTRAL TEXAS ZONE NAD83 HARN HORIZONTAL CONTROL.

**PLATTING INFORMATION**

THIS INSTRUMENT DOES NOT LIE WITHIN THE UNPLATTED ZONE OF THE COUNTY OF TRAVIS, TEXAS, AS SHOWN ON THE PLAT MAP NO. 4882820000 DATED AUGUST 18, 2014.

THIS INSTRUMENT DOES NOT LIE WITHIN A UTILITY EASEMENT OR EASEMENT AS SHOWN ON THE PLAT MAP NO. 4882820000 DATED AUGUST 18, 2014.

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**AUSTAR**  
 9020 ANDERSON MILL RD  
 AUSTIN, TEXAS 78729  
 (512) 249-8149 PHONE  
 (512) 311-5217 FAX  
 TRACS #TRNO101509

**SAEED MOSEHECH**  
 701 PECAN STREET  
 PFLUGERVILLE, TRAVIS COUNTY, TEXAS

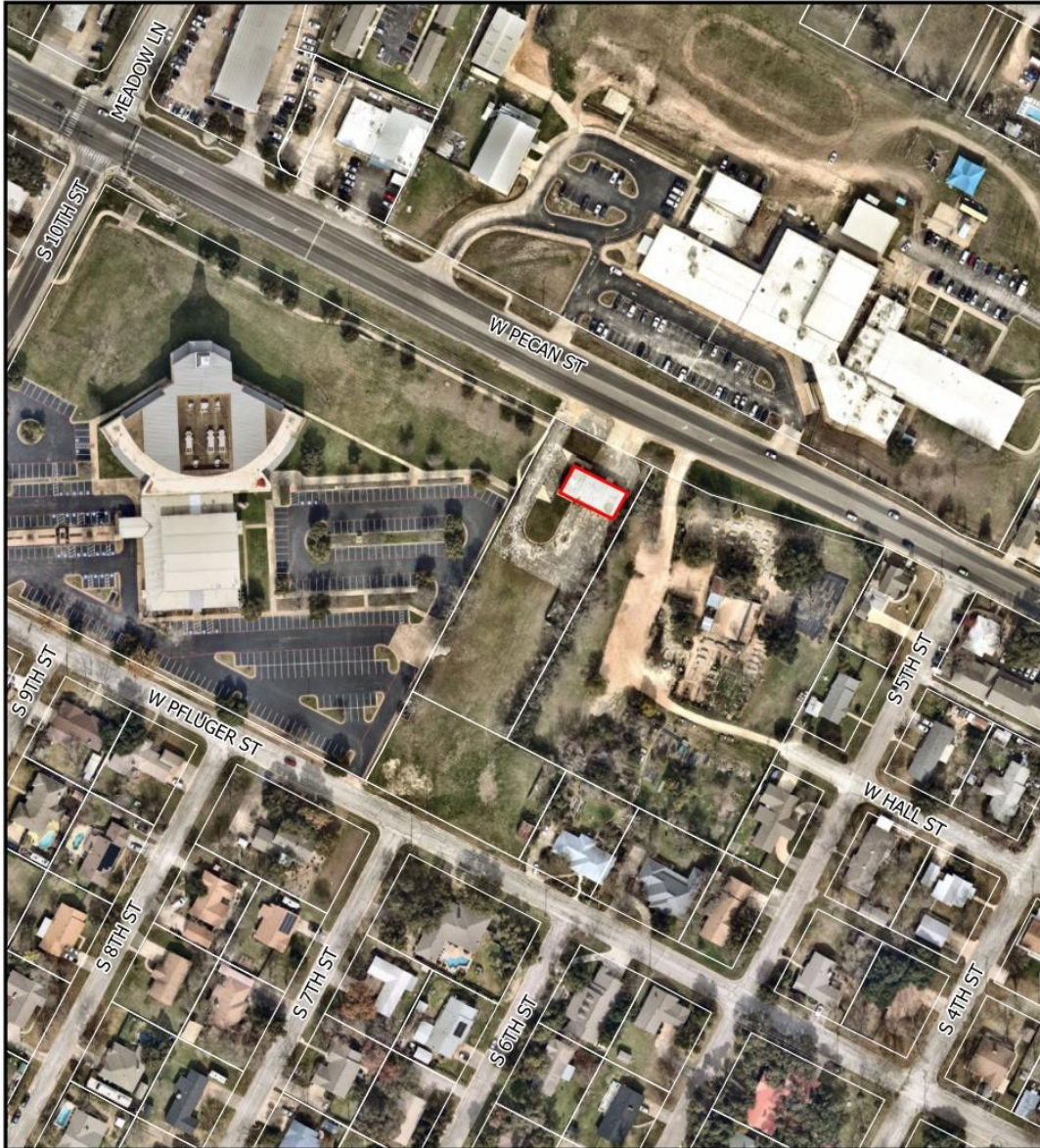
FILED DATE	MARCH 4, 2018	FILED BY	REX MOYAN	COMMISSIONER
TITLE CO.	AUSTIN TITLE	DRAWN BY	SEAN SUTTON	COMMISSIONER
DATE	03/04/2018	PREPARED BY	EDWARD HUBERT	COMMISSIONER
JOB NO.	18-01418	PREPARED BY	EDWARD HUBERT	COMMISSIONER

**EXHIBIT "B"**

**CONDITIONS:**

Item	Conditions of Approval	Purpose
1	The use is limited to the interior of the existing 3,000 S.F. structure.	To create compatibility with the surrounding land uses and consistency with previously approved permits for the same use.

# EXHIBIT "C"



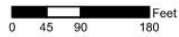
**E Pecan Cigar  
(GB-1)**

**Case Number:  
SUP2025-00101**

**3/3/25**

### Legend

 Subject Parcel

 Feet  
0 45 90 180



When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.



### Locator Map

