April 29, 2017

Addendum to Warrant Application Narrative

Dear Planning & Zoning Commission members,

Cattery Lounge & Snackery would like to address the concerns of Mrs. Michaela Kelton, owner of Stellar Café, and occupant of 235A N LBJ has presented in her opposition letter and follow up email. Board members of Cattery Lounge, Heather Aidala, Executive Director, and Stacie McGee, Volunteer Director, met Mrs. Kelton on March 20th and addressed the concerns she expressed about the theoretical negative impact our nonprofit could have on her business. In addition, Mrs. Kelton visited PAWS of Central Texas on April 28th and Melody Hilburn, Executive Director, attempted to address her concerns about how both nonprofits will work to ensure the health and wellbeing of the felines, patrons, and prevent any negative impact on her business.

The goal of Cattery Lounge is to ensure the health of our felines and provide our patrons with a clean and sanitary environment, thereby preventing any negative impact on our neighboring businesses. We would like to outline the steps we are taking to proactively address Mrs. Kelton's concerns.

1. Health issues- All cats on premise will be prescreened by PAWS of Central Texas. PAWS will follow a strict protocol to ensure the health and temperament of all felines that will temporarily reside at the Cattery Lounge & Snackery. This includes screening and treatment for common zoonotic diseases to ensure the cats can live with each other and be in contact with humans. PAWS will provide an experienced part-time off-site adoption counselor who will ensure that the sanitation procedures utilized by PAWS are followed at the Cattery Lounge, that any cats not suited for the environment are identified quickly and moved to a more appropriate off-site adoption location, and returned to PAWS for any medical care.

In addition, Cattery Lounge will provide care for the felines throughout business hours and at least twice daily on days the business is not open to patrons. Our organization is committed to following strict sanitation procedures utilized by PAWS in order to maintain the health of the felines and patrons. Having visited their on-site cattery on many occasions, it has proved to provide a clean and healthy environment. Air filters will be utilized, litter boxes will be regularly cleaned and sanitized, unpredictable messes will be cleaned immediately, and the floors will be steam cleaned nightly. A weekly deep clean will be conducted when patrons are not present using an animal sanctioned cleaning solution. Such measures will prevent the "infestation" Mrs. Kelton is concerned about based on the negligence of a previous tenant of Suite B.

Heather had been in communication with Mr. Nick Alexander, Sanitarian for Environmental Health, while preparing the business plan. Per the guidelines he provided Suite B met the criteria of having a barrier between the businesses and separate HVAC units. Based on concerns Mrs. Kelton voiced on March 20th Heather offered to ask Mr. Alexander if he could view the space prior to signing a lease. Mr. Alexander visited the space pre-leasing and confirmed it meets the requirements set forth by his office. Cattery Lounge has applied a sealent to the concrete stained floor which will further help maintain the cleanliness of the location. Per Mr. Alexander's recommendation we will caulk where the floor meets the wall of the adjacent retail space in order to improve the barrier. This will prevent any leaks from

passing under the wall. It may be beneficial for Mrs. Kelton to also caulk where the floor meets the wall on her side as an extra barrier.

Mr. Danny Gonzalez of Environmental Health has also visited the space. His biggest concern was the residual effect of the Hookah smoke within Suite B. He strongly recommended the porous ceiling tiles in the entry and storage/employee area be replaced due to the smell and residual hookah chemicals present. Health leaders such as the Mayo Clinic and CDC have deemed hookah smoke and the second hand smoke as being "toxic" and a health hazard (http://www.mayoclinic.org/healthy-lifestyle/quit-smoking/expert-answers/hookah/faq-20057920 and https://www.cdc.gov/tobacco/data_statistics/fact_sheets/tobacco_industry/hookahs/index.htm). Therefore, if Mrs. Kelton was worried about a health concern for her patrons the smoking of hookah in Suite B should have been addressed during the tenure of the Stratosphere Hookah Lounge. Upon Cattery Lounge's request, our property management company, Skiles and Associates, changed out the ceiling tiles given the damage from the Stratosphere Hookah Lounge was beyond normal wear and tear.

Mrs. Kelton has described the potential smell from the cat urine/fecal matter in the litter boxes as "noxious". Following stringent cleaning standards will prevent any unpleasant odor for those using the Suite B space and from traveling into Suite A. Again, if Mrs. Kelton was worried about the transfer of smell from Suite B to Suite A, this concern posed an actual health risk when Suite B was occupied by the Stratosphere Hookah Lounge. Yet even though such smoke has a residual effect, Mrs. Kelton was able to successfully run her business in Suite A for the 12 years Stratosphere Hookah Lounge was in operation in Suite B.

If Mrs. Kelton wishes to prove there is the ability for air to easily travel between the suites leading to "cross contamination" of bacteria or allergens, Cattery Lounge is open to her arranging, at her own expense, for a professional to engage in a "mechanical smoke test" to detect if there are any substantial leaks between the suites where the felines are located. Cattery Lounge can arrange to have their architect and contractor available to observe such a test so they may address any proven concerns.
In a show of good faith, Cattery Lounge has also worked with our architect and contractor to reduce the contact the felines have with the adjoining interior wall. Per our conceptual diagram you will see that the litter/sleeping area for the cats and kitten area do not touch the adjoining wall. In addition, all vertical climbing space for the cats will be built on the exterior wall. The interior wall will be used to display art.

Cattery Lounge & Snackery will not have a food permit and will not have any open food in Suite B. All food items will be pre-packaged which inherently reduces the potential of any bug infestations. If by some extreme circumstance Cattery Lounge were to experience the "bug, fleas, roaches" Mrs. Kelton alludes to being an issue in the downtown area, we would ensure the health of the cats and patrons, even moving them off-site to PAWS or into temporary foster care if needed and treating the building per typical extermination protocol used by any business, including a food establishment.

2. Sound concern through the adjoining wall- We anticipate hearing residual sounds from Suite A such as their coffee grinder, hand towel dispenser, and even employees/patrons with boisterous voices talking. We are aware they have a music system and at current volume levels do not hear their music through the wall. Cattery Lounge is meant to be a comfortable and quiet community space, like the

atmosphere Mrs. Kelton maintains at Stellar Cafe. As such, we will choose soothing background music that promotes studying and conversation. We will host classes such as yoga, mindfulness practices, and arts/crafts which are quiet in nature. Given that Stratosphere Hookah Lounge occupied Suite B for 12 years, had patrons, played music, and did not negatively impact Suite A, we do not anticipate our environment having a negative impact.

Mrs. Kelton specifically detailed concern about the "noise from one cat can be loud". While cats do "meow" on occasion typically they are infrequent and in response to stimuli. This could be a type of residual noise from Cattery Lounge. If a cat were "yowling" or crying repeatedly, our staff and the PAWS off-site adoption counselor would see this as a sign of distress. Given our commitment to the wellbeing of our cats, such a cat would be moved to an adoption location that did not cause the cat distress.
We have been unable to find code requirements that adjoining business must be sound proof which seems to be what Mrs. Kelton is requesting. Based on our desire to be good neighbors if the noise emanating from Suite B were disrupting or adversely impacting Mrs. Kelton's business, we will do our best to address her specific concern.

3. Flooding- We are aware the building at 235 N LBJ has flooded in the past few extreme storms San Marcos has experienced that led to unprecedented flooding in many areas, including the business district. As Mrs. Kelton described, the management company has taken steps to prevent damage from potential future floods. In the recent storm Suite B did experience some flooding. There was about an inch of standing water in the existing entry from the front doors and it spread into the bathroom and merchandise area. There was no standing water or evidence of flooding in the area where the "litter/sleep" cat area will be located, which is housed in the most interior portion of the suite. Despite the lack of evidence that flooding would impact this area, Cattery Lounge will take the following precautions by only using litter containers that are plastic and top loading (see picture). This will prevent water from entering the litter box, as well as litter from leaving the litter box and entering any potential future standing water.

From Mrs Kelton's letter she seems highly dissatisfied with the management company's response and alluded to being upset with a lack of response from Cattery Lounge. On the date of the storm we did not have a Certificate of Occupancy for Suite B. Despite having Heather's cell phone number, Michaela did not call her to inform her about the flooding occurring. When Stacie went to the location about 2.4 hours after the storm she found the flooding and contacted Heather who informed the management company. They were already arranging for a company to clean up from the flooding and by the time Heather arrived at 5:30 they were on site vacuuming out the water. As soon as the management company was able to secure a temporary Certificate of Occupancy, schedule an inspection for electricity

and the electricity was turned out, the cleaning company employed the use of industrial fans and a dehumidifier to further tend to the impact.

4. Disposal of waste- All litter and other waste will be bagged. Cattery Lounge has already paid the owner, Brian Scofield, to use the shared disposal service in the area. Cattery Lounge will be disposing of their waste with the bars and restaurants in the area who dump alcohol and food waste that can create potent smells when sitting in the sun or spoiling. It appears the frequency that the waste is picked up has prevented the smells from interfering with the use of the patios of these establishments that were built backing up to the waste containers. In addition, the container that is closest to "Kissing Alley" is a solely for recycling, which may have been intentionally planned when the containers were placed. Cattery Lounge will only be recycling plastic drink containers in the recycling area.

We are extremely excited about our new location on North LBJ Street and the opportunity it gives us to contribute to and be part of its continued growth and evolution as a shopping, dining, and socializing destination. As a gesture of goodwill and in good faith, we have heard and taken Mrs. Kelton's concerns seriously and have made adaptations and additions to our plans accordingly, in hope of proactively addressing her concerns. We believe in the vital importance of being good neighbors and will run our nonprofit accordingly.

Sincerely,

Heather Aidala
Executive Director
Cattery Lounge & Snackery