

**Meeting Agenda**  
**State College Borough Planning Commission**  
**September 19, 2019**  
**Room 304 / 7:00 p.m.**

- I. Call To Order**
- II. Roll Call**
- III. Approval Of Minutes**
- IV. Chair Report**
- V. Public Hour - Hearing Of Citizens**
- VI. Community Planning**
  - A. Request For Zoning Text Amendment To Allow Cat Cafes In The Urban Village Zoning District
- VII. Official Reports And Correspondence**
- VIII. Upcoming Meetings**
- IX. Adjournment**

*Documents:*

[Complete Planning Commission Agenda - September 19, 2019.pdf](#)

**Meeting Agenda  
State College Borough Planning Commission  
September 19, 2019  
Room 304 / 7 p.m.**

**I. Call to Order**

**II. Roll Call**

Zoe Boniface, Chair  
Anita Genger, Vice-Chair  
Scott Dutt  
Jon Eich  
Richard Kalin  
Mary Madden  
Ron Madrid

**III. Approval of Minutes - September 4, 2019**

**IV. Chair Report**

**V. Public Hour - Hearing of Citizens**

**VI. Community Planning**

**A. Request for Zoning Text Amendment to allow Cat Cafes in the Urban Village Zoning District**

The Planning Department received a request for a zoning text amendment from Sharon Myers, who wishes to operate a cat café in a commercial property located at 616 West College Avenue in the Urban Village (UV) zoning district. The property is owned by Westside Village I, LLC and will be tentatively leased by Ms. Myers for the cat café operation. The applicant has indicated that the business will be a typical café where food and beverages are served, but in addition, fully vetted adoptable cats will be present in the café to socialize and interact with customers. The café will not be directly affiliated with an animal rescue operation, but café staff will work with such agencies to facilitate the adoption of cats by interested patrons while on the premises.

The applicant has indicated the nature of the business may require the overnight boarding of cats, which is not currently permitted in the UV zoning district. Therefore, a zoning text amendment is requested. The proposed amendment would include a definition of a “cat café” along with additional parameters such as vaccination requirements.

A letter of explanation is attached beginning on **page 7-9**.

Borough Council received the request at the September 9, 2019 meeting and referred it to the Planning Commission for a recommendation.

**Planning Commission Action:** The Planning Commission should review and discuss the request. A recommendation can also be made to staff for potential ordinance language.

## **VII. Official Reports and Correspondence**

### **A. Borough Council (BC)**

### **B. Zoning Hearing Board (ZHB)**

#### **1. Variance - 235 Ridge Avenue**

On August 13, 2019, the Zoning Hearing Board (ZHB) heard a request for a variance from Ch. XIX, Section 603.a: "Height, Dwellings not to exceed 25 feet, 2 stories." The property owners wish to remodel the attic of their two-story home to create more living space. The property is located in the R-2 zoning district. The ZHB granted the variance on September 10, 2019.

#### **2. Special Exception - 129 South Sparks Street**

On August 27, 2019, the ZHB heard a request for a special exception to allow expansion of an existing office use into an additional floor of the structure. Per Ch. XIX, Section 965: Mixed Use District of the zoning ordinance, the ZHB is authorized to grant special exceptions in the mixed-use area of the R-3H district. A decision is expected at the September 24, 2019 ZHB meeting.

#### **3. Variance - 230 South Gill Street**

On September 10, 2019, the ZHB heard a request for a variance concerning encroachment into a side yard setback. The applicants propose to construct a side porch on a very narrow lot. The property is located in the R-2 zoning district. A decision is expected at the September 24, 2019 ZHB meeting.

### **C. Upcoming Land Development Plans**

#### **1. Preliminary Plan - 430 West Irvin Avenue**

### **D. Staff Updates**

## **VIII. Upcoming Meetings**

Wednesday, October 2, 2019 at Noon

Thursday, October 17, 2019 at 7 p.m.

## **IX. Adjournment**

**Meeting Minutes  
State College Borough Planning Commission  
September 4, 2019**

The State College Borough Planning Commission (PC) met on Thursday, September 4, 2019 at the Municipal Building, 243 South Allen Street. Zoe Boniface, Chair, called the meeting to order at Noon.

**Members Present**

Zoe Boniface, Chair; Anita Genger, Vice-Chair; Scott Dutt; Jon Eich; Richard Kalin; Mary Madden; and Ron Madrid

**Others Present**

Ed LeClear, Planning Director; Greg Garthe, Senior Planner; Jenna Wargo, Senior Planner-Redevelopment; Isabel Storey, Planner; Denise L. Rhoads, Administrative Assistant; and Albert Drobka, Architect

**Approval of Minutes**

A motion was made by Mr. Dutt and seconded by Ms. Madden to approve the August 22, 2019 meeting minutes as submitted. The vote was unanimously in favor.

**Chair Report**

Zoe Boniface, Chair, stated members had received an email from the State College Borough Parking department regarding Kimley-Horn conducting a parking study and would meet on September 11, 2019 from 9:30 a.m.-10:30 a.m. in Room 112. Mr. LeClear stated a limited number of members from the PC, Transportation Commission, and Borough Council would attend. Denise Dobo would be keeping count of those who would be attending.

Ms. Boniface also noted the PC's previous meeting was discussed on the front page of the *Centre Daily Times* and if anyone wanted to discuss anything pertaining to that article to do so during the public hour.

**Public Hour**

No comments or concerns were heard during the public hour.

**Land Development Plan(s)**

Preliminary/Final Plan - 142 East College Avenue (Queenstown Restaurant); General Commercial Zoning District; AKE Enterprises, Owner; PennTerra Engineering, Engineer; Albert A. Drobka, Architect

Mr. Drobka's presentation included:

- Proposed development of a new restaurant in the former Spat's location at 142 East College Avenue.

- Plans included expansions into the former Family Clothesline store and the second floor of the adjacent Homarella Building.
- The site was at the corner of East College Avenue and South Pugh Street.
- The renovations included enclosing the entrance of the former clothing store, an existing mechanical platform, and an exterior covered walkway that connected to the Homarella building.
- In addition, the plan proposed a second-floor exterior eating area above the entrance to Doggie's Pub, and a new ramp and stairs at the entrance along East College Avenue.
- Demolition would be inside of the old Spats location and the Homarella building which would connect the two buildings. There would be reconfiguration and a handicap ramp by the tree well.
- He noted the total space added would be less than 800 square feet.
- Proposed were two decks for outdoor eating.
- Discussed elevations, briefly.
- Windows would change in the second floor of the Homarella building.
- Currently, no ADA access into the space.

**Design Review Board Comments:** Mr. Garthe stated the DRB met yesterday and suggested leaving the existing windows on the East College Avenue side, making the windows on the South Pugh Street side match the ones on the East College Avenue side, and were curious about the structural integrity of the overall building.

**Borough Staff Comments:** Mr. Garthe stated a Traffic Impact Study was not needed base on the traffic generated. A verification would be needed from the traffic engineer to assess what traffic was generated. He also noted some of the proposed decks and outdoor seating would need to be discussed with the Borough Solicitor.

**PC Comments:**

- Ms. Madden was concerned that painting the vinyl siding would make it peel rapidly. Mr. Drobka stated they would address this concern.
- Ms. Boniface asked if any thought was given about patrons from one restaurant looking down on patrons from the other restaurant. Mr. Drobka stated there would be nothing from a zoning legal standpoint.
- Mr. Dutt asked if the developers proposed tearing down the house that was built-in and Mr. Drobka stated they would not.
- Mr. Eich asked what made the property non-conforming and Mr. Garthe stated the walls of the building were set into the setbacks.
- Mr. Eich wanted to make sure Ms. Madden's comment was included in the review letter.

**Official Reports and Correspondence**

Borough Council (BC): Mr. LeClear reported BC would meet this coming Monday. The Real Estate Advisory Committee chair would be presenting on the Neighborhood Sustainability Program. Mr. LeClear would be giving a refresher on the program.

Zoning Hearing Board (ZHB): Mr. Garthe reported on the following items:

Variance - 235 Ridge Avenue: On August 13, 2019, the ZHB heard a request for a variance from Ch. XIX, Section 603.a: "Height, Dwellings not to exceed 25 feet, 2 stories." The property owners wished to remodel the attic of their two-story home to create more living space. The property was located in the R-2 zoning district. The ZHB did not reach a decision at the August 27, 2019 meeting.

Special Exception - 129 South Sparks Street: On August 27, 2019, the ZHB heard a request for a special exception to allow expansion of an existing office use into an additional floor of the structure. Per Ch. XIX, Section 965: Mixed Use District of the zoning ordinance, the ZHB was authorized to grant special exceptions in the mixed-use area of the R-3H district. A decision was expected at the September 10, 2019 meeting.

Variance - 230 South Gill Street: On September 10, 2019, the ZHB would hear a request for a variance concerning encroachment into a side yard setback. Applicants proposed to construct a side porch on a very narrow lot. The property was located in the R-2 zoning district.

Centre Regional Planning Commission (CRPC): Mr. Eich reported the CRPC would meet tomorrow evening and review a presentation by Todd Giddings on how the Spring Creek Watershed managed all rainfall the Borough had last year and would look at draft projects for the Comprehensive Plan and implementation program and noted what was missing from last year's plan was a coordinated or integrated water management plan. One that would be included for discussion this year would be an inventory analysis to the existing update to the Centre Region Comprehensive Plan which would, hopefully, be on line in three to four years. He noted they would also be discussing best practices for parking management, model ordinance for community engagement, re-evaluation of commercial zoning in the Centre region, and accessory uses as an alternative housing program.

Upcoming Land Development Plans: Mr. Garthe reported the following upcoming land development plans:

**Final Plan** - The Pennsylvania State University Center for Innovation, Making, and Learning (James Building Replacement).

**Final Plan** - 803 Old Boalsburg Road.

**Preliminary Plan** – Two structures on 430 West Irvin Avenue.

Staff Updates: Mr. LeClear stated the Borough was waiting on a response from PSU on the west campus parking deck and noted SCB would expect call from PennDOT in the next week or two. He also stated the proposal was still looking at an entrance at White Course and Atherton Street.

Update on Personnel: Mr. LeClear asked Ms. Storey, the Borough's new Planner, to introduce herself. She stated she was originally from State College and after living in a few other Big Ten communities returned to State College.

Mr. LeClear stated this would be Ms. Wargo's last meeting as she would be moving to Ferguson Township. Ms. Wargo stated it had been a pleasure to work for the Borough and was excited about future projects for both the SCB and Ferguson Township.

Mr. LeClear stated Ms. Kerner, the Borough Engineer, had resigned from the SCB and was going to be the Public Works Director for College Township.

Mr. LeClear discussed the staffing situation within the region, briefly.

### **Upcoming Meetings**

Thursday, September 19, 2019 at 7 p.m.

Wednesday, October 2, 2019 at Noon

### **Adjournment**

With no further business to discuss, Ms. Genger, Vice-Chair, adjourned the meeting at 12:23 p.m.

Respectfully submitted,

Denise L. Rhoads  
Administrative Assistant



McQuaide Blasko, Inc.  
811 University Drive, State College, PA 16801-6624  
814.238.4926 FAX 814.234.5620  
*Additional offices in Hershey, Hollidaysburg, and Williamsport*

September 4, 2019

State College Borough Council  
Attn: Evan Myers, Council President  
243 South Allen Street  
State College, PA 16801

**Re: Zoning Text Amendment Request  
616 West College Avenue**

Dear Mr. Myers:

This letter is submitted on behalf of Sharon Myers as a formal request to amend the text of the Borough of State College Zoning Ordinance. The purpose of the request is to establish a cat café as a permitted use in the Borough's Urban Village District. The subject property at which Ms. Myers intends to operate the cat café is the commercial property located at 616 West College Avenue in the Borough. It is our understanding that this property is located in the Urban Village District. The property is owned by Westside Village I, LLC. Ms. Myers, either individually or through an entity to be formed, intends to lease all or a portion of the property from the owner for the cat café operation. As indicated by its signature below, the owner is supportive of this text amendment request.

As background, a cat café is essentially a café at which food and beverages, such as coffee and tea, will be served to patrons. The distinguishing feature of this type of café is that fully vetted, adoptable cats will be present on the premises to socialize and interact with patrons. The cats will be obtained from an independent animal rescue. Although the cat café operation will not be directly affiliated with the rescue operation, the underlying mission is to provide another "outlet" for adoption of cats. If patrons are interested in adopting a cat on premises at the café, the cat café operation will facilitate the adoption by working with the local rescue to ensure that all required adoption steps, including but not limited to appropriate vaccinations, spaying/neutering and other necessary routine checks have been performed on the cat.

The goal of the cat café is to improve the community by creating a safe, comfortable haven for adoptable cats, while cultivating a fun and inclusive space for cat-lovers to work, relax and socialize. It should be noted that this location is in a high pedestrian traffic area for Penn State students. It is anticipated that the cat café will provide an additional location for these students to relax, work, and perhaps rescue a cat in the process.



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Although actual business hours are not determined at this time, the cat café will comply with the business hour limitations set forth in the zoning ordinance. However, due to the nature of this operation, the overnight boarding of cats may be required. Accordingly, the purpose for submitting this request is to pursue an amendment to the zoning ordinance not only to permit the boarding of animals in the subject district, but more specifically, designate cat cafés as a permitted use in the Urban Village zoning district.

Based on a review of the particular zoning ordinance for the Urban Village District, the “cat café” would not appear to qualify as a permitted use. The ordinance does identify “restaurants and cafes” as permitted uses. Specifically, Section 19-1925 of the Borough Ordinance provides:

“Restaurants and Cafes. Structures used for this use category may not exceed 35,000 square feet in the District in the aggregate. No individual restaurant or cafe may exceed 4,000 square feet of gross floor area or contain a drive-in window or other facility where patrons are served while remaining in their vehicle.”

Although there are aspects of the cat café that are unique – particularly, the cat adoption feature – the use would not be substantially different from a typical café already permitted under the ordinance. Food and beverages will be served in a relaxed, café setting. Patrons will be able to work on their laptops and socialize. As such, it is requested that this type of use, similar to a café yet unique enough for a separate permitted use, be included in Section 19-1925 as a new permitted use, as follows:

“Cat café. A cat café shall mean a café at which cats may be adopted by patrons during business hours and boarded during off-business hours.”

The following additional language could be considered:

“Cats shall receive all required vaccinations prior to being permitted at the cat café premises. While at the premises, cats shall be boarded during off-business hours and have their litter boxes and food in physically separate quarters from the areas in which food and beverages are prepared and/or served for human consumption.”

Thank you for your attention to this matter. Enclosed is a check for the zoning text application fee. If there are any further questions regarding this request, please contact either myself or Ms. Myers.

Very truly yours,



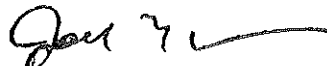
Thomas S. Schrack

cc: Ed LeClear  
Sharon Myers

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The property owner, Westside Village I, LLC, hereby consents to the proposed text amendment request set forth in this letter above.

WESTSIDE VILLAGE I, LLC

By:   
Name: Joel Myers  
Title: Owner