



WILDWOOD

November 19, 2018

MEMORANDUM

To: Planning and Zoning Commission Members
City of Wildwood, Missouri

From: Department of Planning and Parks

Re: A proposal from *Environmental Consultants, L.L.C.* for the air quality testing in association with the existing waterfall structure located on the properties addressed at 500 and 550 Laurey Lane; **P.Z. 15-17 Babler Farms, L.L.C., c/o Tom Roberts**; Conditional Use Permit (CUP) in the NU Non-Urban Residence District for a fifty-nine point nine (59.9) acre tract of land, which authorizes a 3.5 acre large water feature, an associated fountain, and the subject waterfall structure. **(Ward One)**

Cc: The Honorable James R. Bowlin, Mayor
The Honorable City Council of the City of Wildwood
Ryan S. Thomas, P.E., City Administrator
John A. Young, City Attorney
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner

The Department had previously informed the Planning and Zoning Commission members by e-mail about the firm that was being considered to undertake the necessary air quality testing of the waterfall structure that is located on the Roberts's property has withdrawn from the project. The principal's explanation of this action was also provided in the email that was sent last week. With this withdrawal, the Department will now begin the search process for a qualified consultant for this effort again.

As noted, two (2) weeks ago, at the Planning and Zoning Commission's meeting, the Department had begun the search process with four (4) qualified firms and reduced that number to the one (1) company that has now withdrawn. The Department is not sure if other firms in the region will be available and now intends to investigate elsewhere across the Midwest as well. The City has used firms from other areas of the Midwest in the past for specific work of this unique nature.

The difficulty in finding the appropriate firm for this study was not expected when the requirements were made part of the overall zoning process for this large water feature and associated waterfall. The effort to determine a qualified firm has already taken approximately five (5) months and led to many conversations with the petitioner and the neighbors, who have identified this matter as a potential issue. This same timeframe has also delayed the completion of the zoning process associated with the granted Conditional Use Permit (CUP). Collectively, in terms of the ease of obtaining results to the sound testing, the air quality has been exactly the opposite in this regard.

Given this situation, the Department is seeking input from the Commission members on the planned next steps, which could still be for the Department to continue to identify, discuss, and present a potential contractor for this project to the City. This approach does not address the few major points that were identified in the Environmental Consultants' proposal (the previous form) relative to the following items:

1. No defined testing protocol exists for this type of program.
2. No defined standards exist to compare the testing results.
3. No opinion was to be provided on the health risk associated with the same, even with the completion of the testing.

In the end, these items may have led the firm to withdraw its proposal for this testing effort.

Given this circumstance, the Department is hoping another more traditional approach may exist for use that it had overlooked in the preparation of its contacts to these firms. None of these firms noted the study would have these issues, but now understanding them, the Department's approach should reflect such in this regard. Similarly, does the Commission have any suggestions in this regard, before the Department reinstates this search process again. Certainly, the Department recognizes the need to proceed forward with a selection process, so this zoning matter can be completed for all parties.

If any of the Commission Members should have questions or comments in this regard before tonight's meeting, please feel free to contact the Department of Planning at (636) 458-0440. A presentation is planned on this matter at tonight's meeting. Thank you for your review of this information and anticipated participation in its discussion.