



October 21, 2021

City of Pompano Beach
Department of Development Services
Planning & Zoning Division
Zoning Board of Appeals

**RE: Zoning Board of Appeals Application – Major Temporary Use Permit
Former Speedway No. 6442
900 East Sample Road
Pompano Beach, Florida 33064
FDEP Facility ID No. 06/8502103
Folio No. 4842-24-010041**

Dear Zoning Board of Appeals:

Earth Systems, Inc. is contracted by the Florida Department of Environmental Protection (FDEP) to perform environmental site rehabilitation activities at the Former Speedway No. 6442 property located at 900 East Sample Road, Pompano Beach, FL (900 NE 36th Street, Pompano Beach, FL). The site rehabilitation activities include the installation and operation of a remediation system to address petroleum impacted soil and groundwater at the subject property. A similar remediation system operated at the property from July 2001 to June 2010. This application is being submitted by Earth Systems and its construction contractor, Tri-Con Environmental, on behalf of the property owner, EESS-NY FL FV Florida Sub LLC (Extra Space Storage), to allow for the temporary installation and operation of the proposed remediation system.

In accordance with the Review Standards of Section 155.2412 of the Zoning Code for a Temporary Use Permit (Major), below is a point-by-point response to each standard for the requested permit:

a. Is on its face temporary in nature;

As proposed in the attached Limited Scope Remedial Action Plan (LSRAP) dated May 21, 2021, the proposed remediation system is expected to achieve its remediation goals in one year. After the remediation goals have been met, the proposed remediation system may be decommissioned and removed from the property.

b. Is in harmony with the spirit and intent of this Code;

The goal of the proposed remediation system is to effectively remediate impacted soil and groundwater at the subject property by eliminating the public health risk as safely and efficiently as possible. The proposed remediation system is in harmony with the spirit and intent of this Code in that seeks to protect the citizens, businesses, and natural resources of the City of Pompano Beach.

c. Is not detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare;

As stated previously, the goal of the proposed remediation system is to effectively remediate impacted soil and groundwater at the subject property by eliminating the public health risk as safely and efficiently as possible. The proposed remediation system will remediate the residual source impacts on the subject property and prevent them from migrating to surrounding properties. All site rehabilitation activities will be contained on the subject property and will not pose any health or safety risk to the public. A similar remediation system operated at the subject property from July 2001 to June 2010, and was successful. Due to accessibility constraints associated with the former underground storage tank (UST) system, residual soil and groundwater impacts remain that require further remediation.

d. Does not have substantial adverse effects or noise impacts on any adjoining permanent uses or nearby residential neighborhoods;

The proposed remediation system will be contained in a trailer and equipped with noise-reducing equipment and materials, such as exhaust hoods, a compressor silencer, a blower muffler, and noise-attenuating foam or blankets. The strip-mall located to the east of the subject property faces away (east) from the subject property and the storefronts are located approximately 125 feet from the location of the proposed remediation system. Therefore, any sound emanating from the proposed remediation system should have no adverse effect or noise impacts on the adjoining property. The nearest residential neighborhood is located approximately 625 feet to the east and well out-of-range of any perceivable noise from the subject property. As stated previously, a similar remediation system operated from July 2001 to June 2010, and no adverse effects or noise impacts were reported.

e. Is compatible with any principal uses on the site;

The subject property is currently a vacant lot with no property structures. The property formerly operated as a gasoline station with a convenience store, which have since been demolished. The proposed remediation system is commonly installed at active or former gasoline stations to remediate soil and groundwater impacts, and a similar system previously operated at the subject property. Based on the property being vacant with no business operations or access from the public, the proposed remediation system is compatible with the site.

f. Is located on a site containing sufficient land area to allow the temporary and associated structures, and accommodate any associated parking and traffic movement, without disturbing environmentally sensitive lands;

As stated previously, the subject property is currently a vacant lot with no property structures. The property is approximately 0.5-acres and has sufficient land area to contain all site rehabilitation activities onsite. The property is not accessible by the public,

therefore parking and traffic movement are of no concern. No environmentally sensitive lands are located in vicinity of the subject property.

g. Complies with all applicable use-specific standards in Section 155.4403;

No use-specific standards in Section 155.4403 apply to the proposed remediation system.

If you have any questions regarding this application, please do not hesitate to call me at (561) 588-3985.

Sincerely,

EARTH SYSTEMS



Shaun Staley
Project Manager

Enclosures