

4 December 2014

Ms. Clarissa Davis
City of Fort Pierce Planning Department
100 North U.S.1
Fort Pierce, FL 34954

**Subject: Criteria Narrative for City of Fort Pierce Planning Department Variance Application
Orkin Fort Pierce Site
3231 S. US Highway 1, Fort Pierce
OGC #89-1101**

Dear Ms. Davis:

In follow-up to our conversations with the City of Fort Pierce Planning Department, Geosyntec Consultants (Geosyntec) on behalf of Orkin/Rollins (Orkin) is providing the City of Fort Pierce Planning Department with the enclosed variance application for the Orkin Site located at 3231 South U.S. Highway 1 Fort Pierce, Florida. As previously discussed, Geosyntec has been assisting Orkin/Rollins with the preparation of the Site redevelopment including the responses to comments in the 27 May 2014 letter from the City of Ft Pierce Planning Department and the 4 August 2014 Memorandum from the City's Department of Engineering. Comment #2 of the 24 May 2014 letter by the Landscape Department indicated that a 10-foot strip of landscaping would be required in the southeast corner of the Orkin property if a shared access agreement with owner of the property to the south could not be provided (pursuant to the City of Fort Pierce Code [§22.187.4(a)]).

Orkin and Geosyntec have been negotiating with the property owner to the south in order to obtain a shared access agreement; however, at this time, a shared access agreement between both property owners could not be reached. As a result of this, we have further considered the incorporation of the 10-foot landscape into the southeastern portion of the Site Plan. The attached **Figure 1** shows the Site Plan with the draft conceptual design of the landscaping strip. Note that this change to the design would also require modifications to the entrance driveway and proposed swale in front of the building, which have not been fully addressed.

Pursuant to Geosyntec's 14 September 2010 Remedial Action Plan (RAP) for the Site, an engineering control in the form of an asphalt cap is to be installed at the site to act as a barrier over pesticide-impacted soil. The asphalt cap is designed to cover 18,077 square feet (ft²). The

GQ4209/Criteria Narrative_v1

Florida Department of Environmental Protection (FDEP) approved the implementation of the engineering controls portion (in the form of the asphalt cap and associated drainage structures) of the RAP on 30 August 2011. In order to install the asphalt cap, the Site had to comply with City of Fort Pierce Code pertaining to Site redevelopment including requirements for stormwater and landscaping. Since the redevelopment falls under the City of Fort Pierce jurisdiction, Geosyntec along with Orkin has been working with the City on the requirements of the redevelopment plan which included two pre-application meetings on 24 June 2010 and 6 November 2013, prior to submittal for the building permit application on 15 April 2014. **Attachment 1** includes the updated Site Redevelopment Plan.

The current site plan encompasses 9,200 ft² of perimeter landscaping including 293 ft along the southern property boundary as laid out in the Landscape Plan (included in **Attachment 1**). In addition to the 293 ft of landscaping buffer between the Site and the property to the south, there is also approximately 315 linear ft of chain link fencing. Geosyntec has identified concerns with the required landscaping strip that would be installed in the location as shown because it would encroach upon areas of shallow pesticide-impacted soil. The attached **Figure 2** shows the approximate location of the landscape strip with respect to the delineated contamination plume for impacted soils (area shaded in purple). The concern with removing the asphalt in this area in order to install the landscaping is that it could expose impacted soil. The asphalt, which currently serves as a barrier, would need to be removed and be replaced by the landscape strip. The addition of this unpaved strip that will be located directly adjacent to impacted soil to the north could potentially allow for rainwater or irrigation water to impact contaminants from the adjacent soils (left just below the asphalt) into the shallow groundwater. Therefore, we are respectfully requesting that the asphalt be left in place and that the requirement for the landscape buffer be waived due to these environmental-impact related risks.

The basis for this request is similar to what the City has already agreed to by waiving the landscaping requirements for a dumpster enclosure (pursuant to City of Fort Pierce Code [§22.187(11)]) since the landscaping around the dumpster would also require the removal of asphalt currently covering pesticide-impacted soil. On a related note, as shown on **Figure 1**, the required landscape strip would also pass directly through the proposed dumpster enclosure area.

For these above-noted reasons, we are requesting that the requirement for the landscape buffer in the southeast portion of the Site be waived. In response to the question in the variance application, the property would still be used for commercial use after the site redevelopment; therefore, zoning will not be affected if the variance is approved. In addition, approval of the variance should benefit human health and the environment since the pesticide-impacted soil will remain under the asphalt barrier.

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We are planning to attend the meeting with the Technical Review Committee currently scheduled for 18 December 2014, and we also anticipate meeting with the Board of Adjustment on 22 January 2015. Upon receipt of the final determination regarding this variance request, we will provide the final responses to comments (along with any additional edits to the redevelopment plans) that address the City's points of concern from both the 24 May 2014 letter and the 4 August 2014 memorandum.

Please feel free to contact either of the undersigned at 561-995-0900 if you have any questions.

Sincerely,



Cristina Chiera, E.I
Staff Engineer



David J. Latham, P.G.
Senior Geologist

Attachments:

Fig. 1 – Proposed Site Plan with Landscaping Strip
Fig. 2 – Location of Impacted Soil and Landscaping Strip
Attachment 1 – Site Redevelopment Plan

Cc: Gary Rogers, Rollins/Orkin
Lee Mullon, P.E., Geosyntec
Chris Herin, P.G. Geosyntec