



EXHIBITS

from HEX hearing

CASE #: DC12003-00058

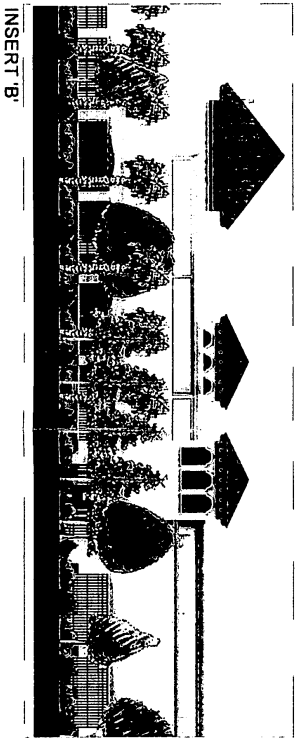
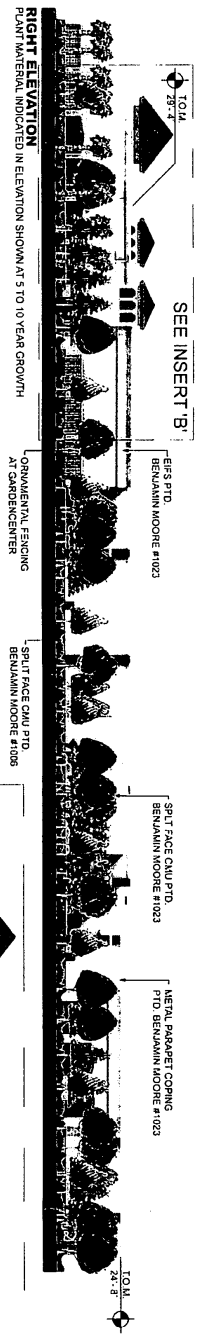
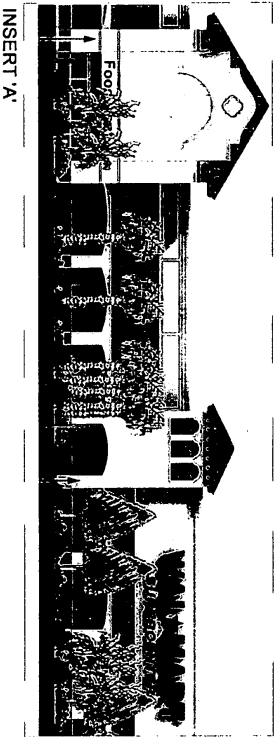
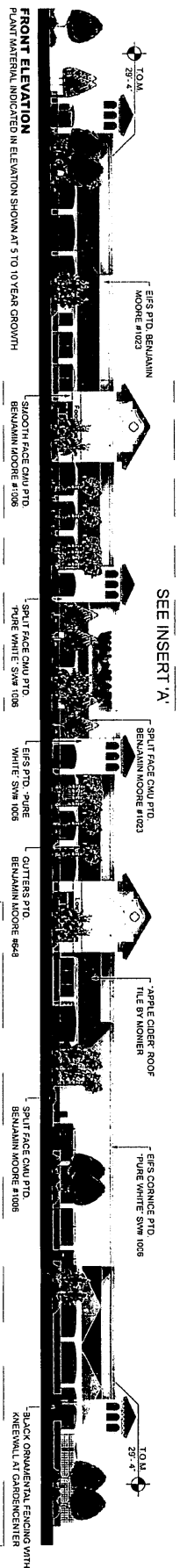
CASE NAME: Estero Golf Resort

Attach a copy of this form to the top of packet of the exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS? ☐ YES ☒ NO

LOCATION OF BOARDS:

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

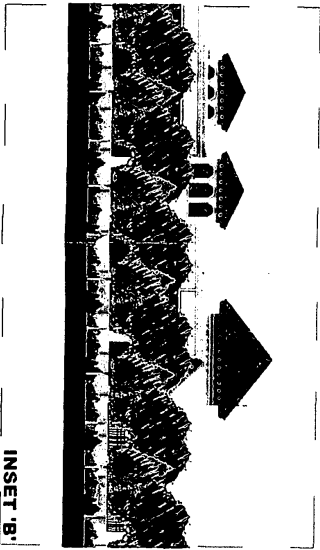
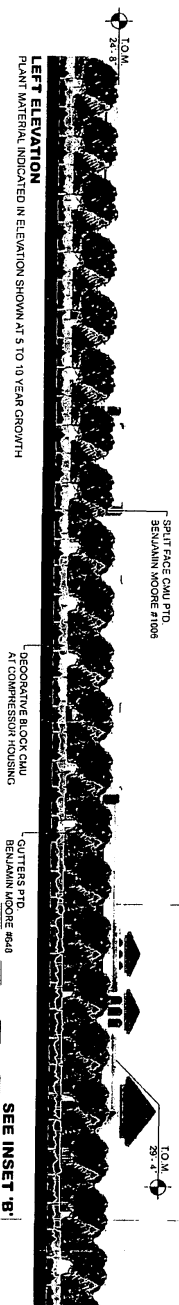
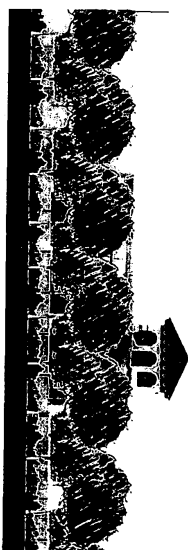
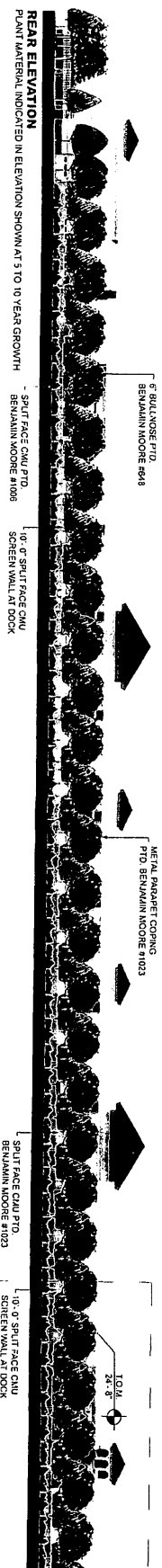


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Modeling, landscaping, and site furnishings images shown are a representation of the design intent and may not reflect any actual construction or site conditions. The design is subject to change without notice. The design is not a contract. The design is not a warranty. The design is not a guarantee. The design is not a promise. The design is not a statement of opinion. The design is not a statement of fact. The design is not a statement of law. The design is not a statement of policy. The design is not a statement of procedure. The design is not a statement of practice. The design is not a statement of principle. The design is not a statement of purpose. The design is not a statement of result. The design is not a statement of effect. The design is not a statement of cause. The design is not a statement of action. The design is not a statement of inaction. The design is not a statement of possibility. The design is not a statement of impossibility. The design is not a statement of probability. The design is not a statement of improbability. The design is not a statement of certainty. The design is not a statement of uncertainty. The design is not a statement of risk. The design is not a statement of reward. The design is not a statement of loss. The design is not a statement of gain. The design is not a statement of harm. The design is not a statement of benefit. The design is not a statement of damage. The design is not a statement of improvement. The design is not a statement of decline. The design is not a statement of growth. The design is not a statement of stagnation. The design is not a statement of progress. The design is not a statement of regression. The design is not a statement of change. The design is not a statement of no change. The design is not a statement of continuity. The design is not a statement of discontinuity. The design is not a statement of consistency. The design is not a statement of inconsistency. The design is not a statement of uniformity. The design is not a statement of non-uniformity. The design is not a statement of similarity. The design is not a statement of dissimilarity. The design is not a statement of identity. The design is not a statement of non-identity. The design is not a statement of equality. The design is not a statement of inequality. The design is not a statement of proportion. The design is not a statement of disproportion. The design is not a statement of balance. The design is not a statement of imbalance. The design is not a statement of harmony. The design is not a statement of disharmony. The design is not a statement of unity. The design is not a statement of disunity. The design is not a statement of coherence. The design is not a statement of incoherence. The design is not a statement of logic. The design is not a statement of illogic. The design is not a statement of reason. The design is not a statement of unreason. The design is not a statement of order. The design is not a statement of disorder. The design is not a statement of organization. The design is not a statement of disorganization. The design is not a statement of structure. The design is not a statement of no structure. The design is not a statement of form. The design is not a statement of no form. The design is not a statement of function. The design is not a statement of no function. The design is not a statement of purpose. The design is not a statement of no purpose. The design is not a statement of meaning. The design is not a statement of no meaning. The design is not a statement of value. The design is not a statement of no value. The design is not a statement of quality. The design is not a statement of no quality. The design is not a statement of quantity. The design is not a statement of no quantity. The design is not a statement of quality. The design is not a statement of no quality. The design is not a statement of quantity. The design is not a statement of no quantity. The design is not a statement of quality. The design is not a statement of no quality. The design is not a statement of quantity. The design is not a statement of no quantity.

WALMART
SUPERCENTER

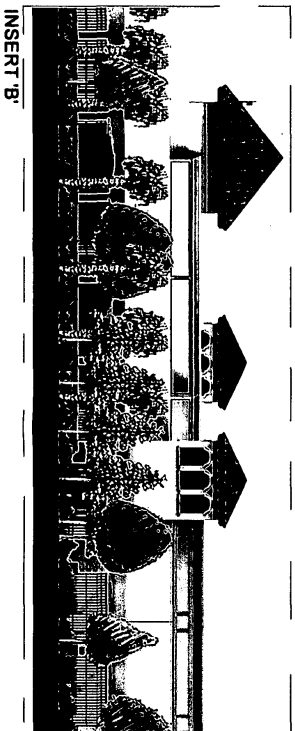
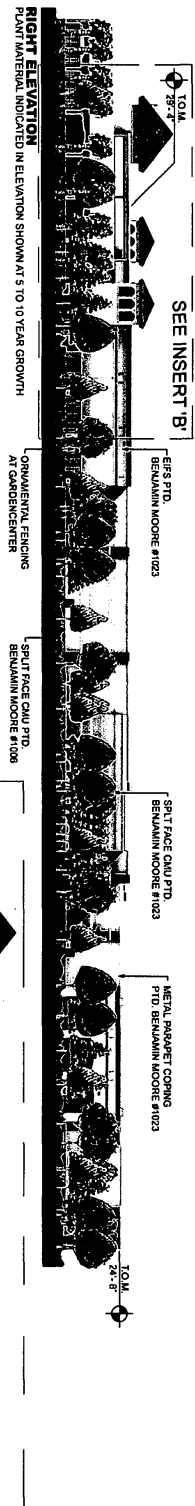
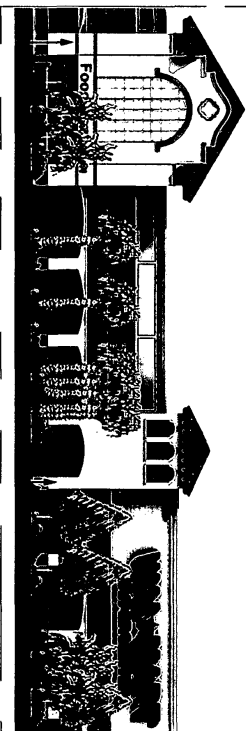
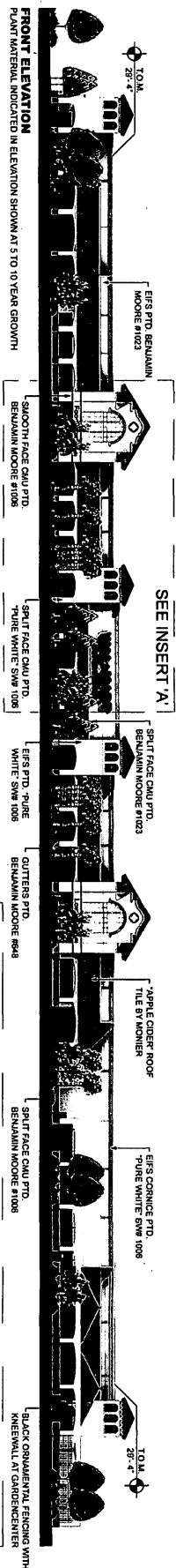
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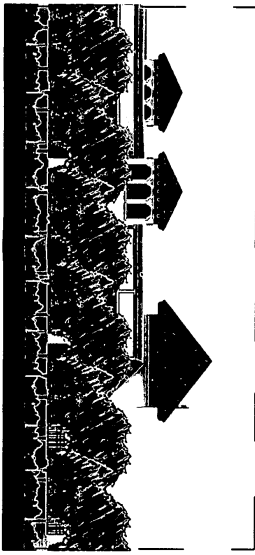
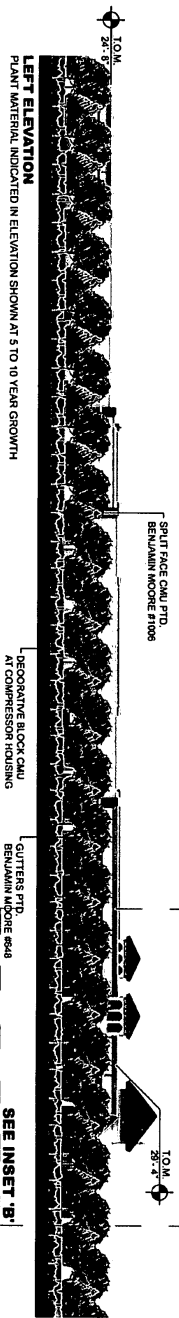
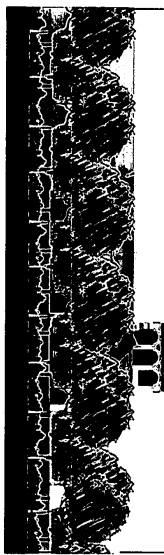
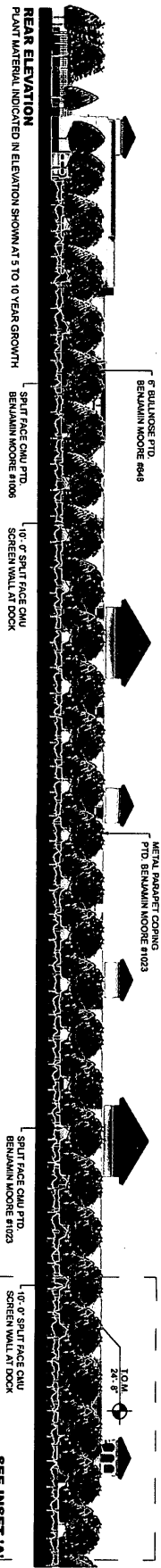


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Raising, landscaping, and site building images shown are a representation of the design intent and may not reflect any actual construction. The design is subject to change without notice due to local material differences and final design detailing.

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APPLICANT'S EXHIBIT
4
DC/2003-07258



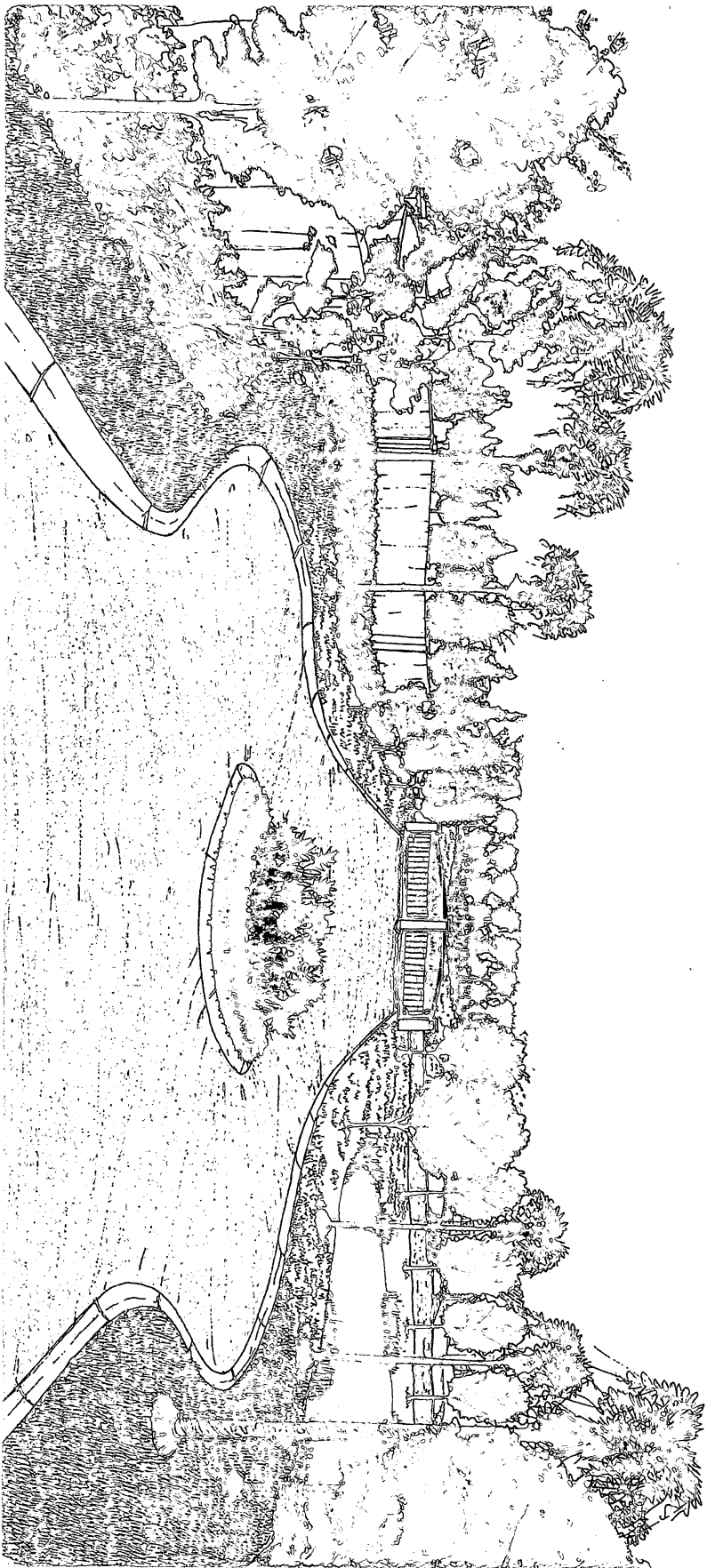
**REPRESENTATION ONLY
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Building, landscaping, and site rendering images shown are a representation of the design intent and may not reflect any actual construction or site conditions. The design is subject to change without notice and is not intended to be used for any other purpose.

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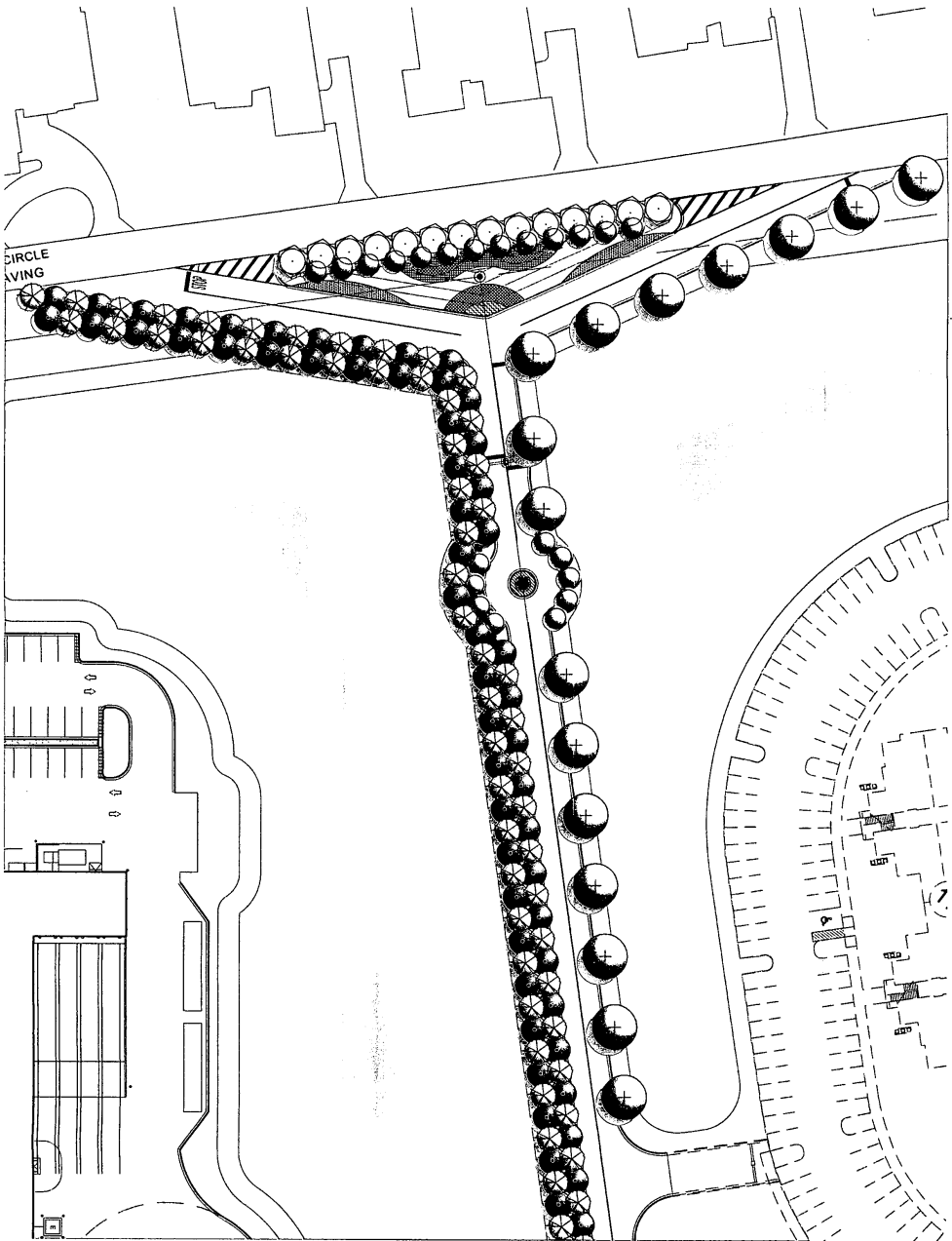


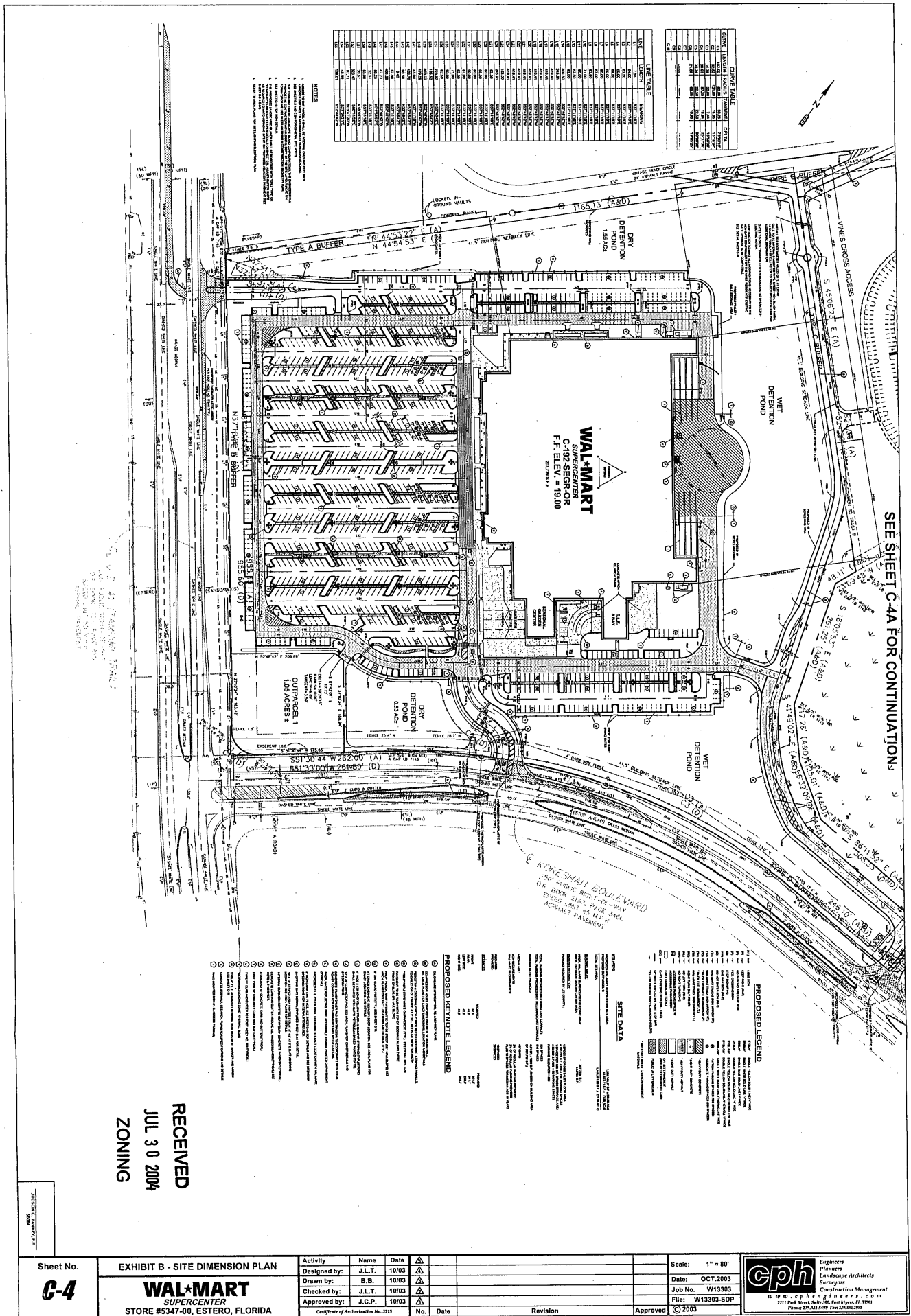
Alternative Drive Perspective

Applicant Exhibit #6
DCI 2003-00058

Proposed Entry Landscape Plan

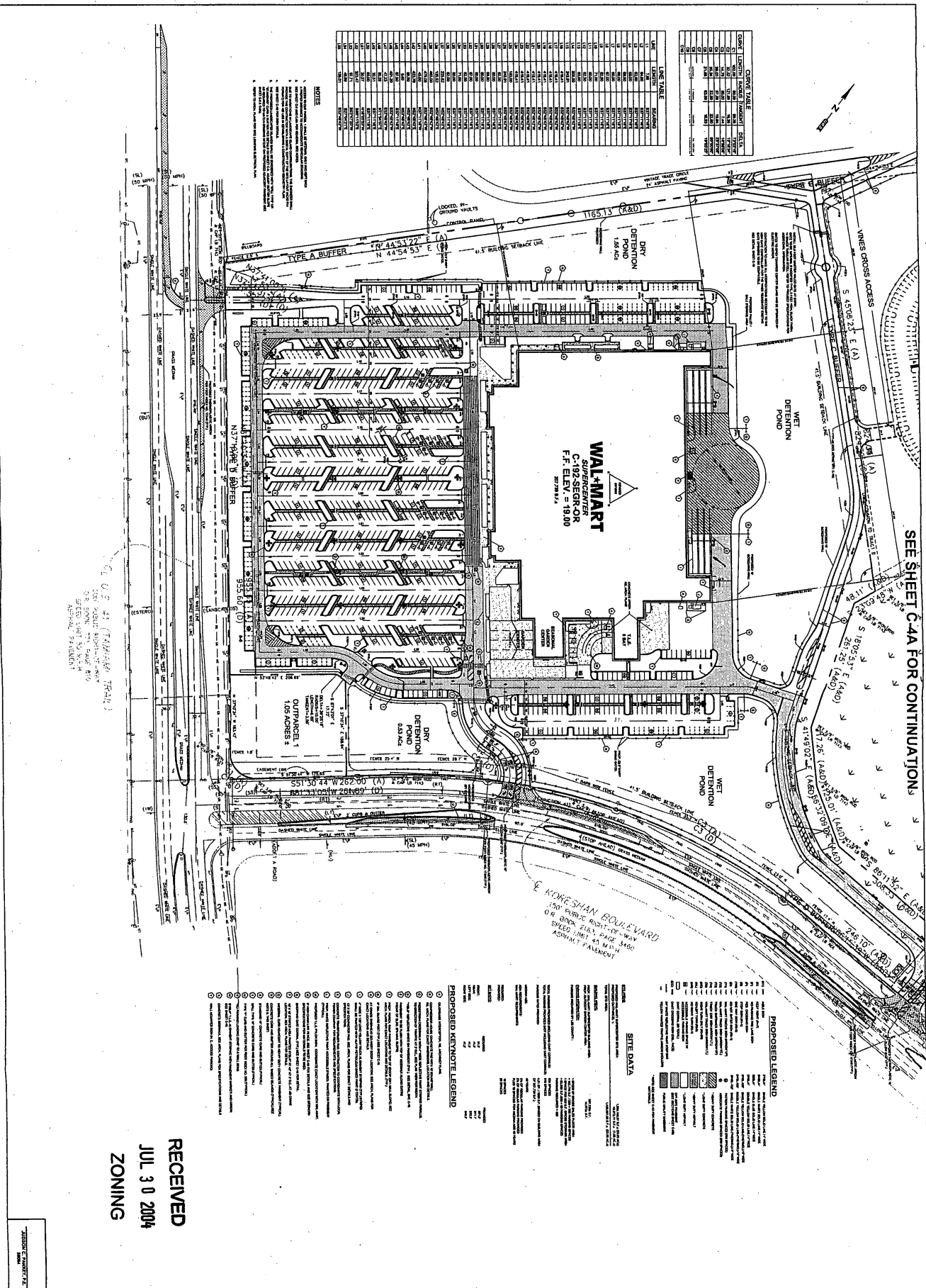
Applicant's Exhibit #5
DCI 2003-00058





Sheet No. C-4	EXHIBIT B - SITE DIMENSION PLAN WAL-MART SUPERCENTER STORE #5347-00, ESTERO, FLORIDA	Activity Designed by: J.L.T. 10/03 Drawn by: B.B. 10/03 Checked by: J.L.T. 10/03 Approved by: J.C.P. 10/03	Name J.L.T. B.B. J.L.T. J.C.P.	Date 10/03 10/03 10/03 10/03	No. 1 2 3 4	Date 10/03 10/03 10/03 10/03	Revision 1 2 3 4	Approved [Signature]	Scale: 1" = 80' Date: OCT.2003 Job No.: W13303 File: W13303-SDP	gph Engineers Planners Landscape Architects Surveyors Construction Management 2215 Park Street, Suite 200, Fort Myers, FL 33901 Phone: 813.535.8888 Fax: 813.535.8889
		PROPOSED NETNOTE LEGEND 1. PROPOSED NETNOTE LEGEND 2. PROPOSED NETNOTE LEGEND 3. PROPOSED NETNOTE LEGEND 4. PROPOSED NETNOTE LEGEND 5. PROPOSED NETNOTE LEGEND 6. PROPOSED NETNOTE LEGEND 7. PROPOSED NETNOTE LEGEND 8. PROPOSED NETNOTE LEGEND 9. PROPOSED NETNOTE LEGEND 10. PROPOSED NETNOTE LEGEND 11. PROPOSED NETNOTE LEGEND 12. PROPOSED NETNOTE LEGEND 13. PROPOSED NETNOTE LEGEND 14. PROPOSED NETNOTE LEGEND 15. PROPOSED NETNOTE LEGEND 16. PROPOSED NETNOTE LEGEND 17. PROPOSED NETNOTE LEGEND 18. PROPOSED NETNOTE LEGEND 19. PROPOSED NETNOTE LEGEND 20. PROPOSED NETNOTE LEGEND 21. PROPOSED NETNOTE LEGEND 22. PROPOSED NETNOTE LEGEND 23. PROPOSED NETNOTE LEGEND 24. PROPOSED NETNOTE LEGEND 25. PROPOSED NETNOTE LEGEND 26. PROPOSED NETNOTE LEGEND 27. PROPOSED NETNOTE LEGEND 28. PROPOSED NETNOTE LEGEND 29. PROPOSED NETNOTE LEGEND 30. PROPOSED NETNOTE LEGEND 31. PROPOSED NETNOTE LEGEND 32. PROPOSED NETNOTE LEGEND 33. PROPOSED NETNOTE LEGEND 34. PROPOSED NETNOTE LEGEND 35. PROPOSED NETNOTE LEGEND 36. PROPOSED NETNOTE LEGEND 37. PROPOSED NETNOTE LEGEND 38. PROPOSED NETNOTE LEGEND 39. PROPOSED NETNOTE LEGEND 40. PROPOSED NETNOTE LEGEND 41. PROPOSED NETNOTE LEGEND 42. PROPOSED NETNOTE LEGEND 43. PROPOSED NETNOTE LEGEND 44. PROPOSED NETNOTE LEGEND 45. PROPOSED NETNOTE LEGEND 46. PROPOSED NETNOTE LEGEND 47. PROPOSED NETNOTE LEGEND 48. PROPOSED NETNOTE LEGEND 49. PROPOSED NETNOTE LEGEND 50. PROPOSED NETNOTE LEGEND 51. PROPOSED NETNOTE LEGEND 52. PROPOSED NETNOTE LEGEND 53. PROPOSED NETNOTE LEGEND 54. PROPOSED NETNOTE LEGEND 55. PROPOSED NETNOTE LEGEND 56. PROPOSED NETNOTE LEGEND 57. PROPOSED NETNOTE LEGEND 58. PROPOSED NETNOTE LEGEND 59. PROPOSED NETNOTE LEGEND 60. PROPOSED NETNOTE LEGEND 61. PROPOSED NETNOTE LEGEND 62. PROPOSED NETNOTE LEGEND 63. PROPOSED NETNOTE LEGEND 64. PROPOSED NETNOTE LEGEND 65. PROPOSED NETNOTE LEGEND 66. PROPOSED NETNOTE LEGEND 67. PROPOSED NETNOTE LEGEND 68. PROPOSED NETNOTE LEGEND 69. PROPOSED NETNOTE LEGEND 70. PROPOSED NETNOTE LEGEND 71. PROPOSED NETNOTE LEGEND 72. PROPOSED NETNOTE LEGEND 73. PROPOSED NETNOTE LEGEND 74. PROPOSED NETNOTE LEGEND 75. PROPOSED NETNOTE LEGEND 76. PROPOSED NETNOTE LEGEND 77. PROPOSED NETNOTE LEGEND 78. PROPOSED NETNOTE LEGEND 79. PROPOSED NETNOTE LEGEND 80. PROPOSED NETNOTE LEGEND 81. PROPOSED NETNOTE LEGEND 82. PROPOSED NETNOTE LEGEND 83. PROPOSED NETNOTE LEGEND 84. PROPOSED NETNOTE LEGEND 85. PROPOSED NETNOTE LEGEND 86. PROPOSED NETNOTE LEGEND 87. PROPOSED NETNOTE LEGEND 88. PROPOSED NETNOTE LEGEND 89. PROPOSED NETNOTE LEGEND 90. PROPOSED NETNOTE LEGEND 91. PROPOSED NETNOTE LEGEND 92. PROPOSED NETNOTE LEGEND 93. PROPOSED NETNOTE LEGEND 94. PROPOSED NETNOTE LEGEND 95. PROPOSED NETNOTE LEGEND 96. PROPOSED NETNOTE LEGEND 97. PROPOSED NETNOTE LEGEND 98. PROPOSED NETNOTE LEGEND 99. PROPOSED NETNOTE LEGEND 100. PROPOSED NETNOTE LEGEND								PROPOSED LEGEND 1. PROPOSED LEGEND 2. PROPOSED LEGEND 3. PROPOSED LEGEND 4. PROPOSED LEGEND 5. PROPOSED LEGEND 6. PROPOSED LEGEND 7. PROPOSED LEGEND 8. PROPOSED LEGEND 9. PROPOSED LEGEND 10. PROPOSED LEGEND 11. PROPOSED LEGEND 12. PROPOSED LEGEND 13. PROPOSED LEGEND 14. PROPOSED LEGEND 15. PROPOSED LEGEND 16. PROPOSED LEGEND 17. PROPOSED LEGEND 18. PROPOSED LEGEND 19. PROPOSED LEGEND 20. PROPOSED LEGEND 21. PROPOSED LEGEND 22. PROPOSED LEGEND 23. PROPOSED LEGEND 24. PROPOSED LEGEND 25. PROPOSED LEGEND 26. PROPOSED LEGEND 27. PROPOSED LEGEND 28. PROPOSED LEGEND 29. PROPOSED LEGEND 30. PROPOSED LEGEND 31. PROPOSED LEGEND 32. PROPOSED LEGEND 33. PROPOSED LEGEND 34. PROPOSED LEGEND 35. PROPOSED LEGEND 36. PROPOSED LEGEND 37. PROPOSED LEGEND 38. PROPOSED LEGEND 39. PROPOSED LEGEND 40. PROPOSED LEGEND 41. PROPOSED LEGEND 42. PROPOSED LEGEND 43. PROPOSED LEGEND 44. PROPOSED LEGEND 45. PROPOSED LEGEND 46. PROPOSED LEGEND 47. PROPOSED LEGEND 48. PROPOSED LEGEND 49. PROPOSED LEGEND 50. PROPOSED LEGEND 51. PROPOSED LEGEND 52. PROPOSED LEGEND 53. PROPOSED LEGEND 54. PROPOSED LEGEND 55. PROPOSED LEGEND 56. PROPOSED LEGEND 57. PROPOSED LEGEND 58. PROPOSED LEGEND 59. PROPOSED LEGEND 60. PROPOSED LEGEND 61. PROPOSED LEGEND 62. PROPOSED LEGEND 63. PROPOSED LEGEND 64. PROPOSED LEGEND 65. PROPOSED LEGEND 66. PROPOSED LEGEND 67. PROPOSED LEGEND 68. PROPOSED LEGEND 69. PROPOSED LEGEND 70. PROPOSED LEGEND 71. PROPOSED LEGEND 72. PROPOSED LEGEND 73. PROPOSED LEGEND 74. PROPOSED LEGEND 75. PROPOSED LEGEND 76. PROPOSED LEGEND 77. PROPOSED LEGEND 78. PROPOSED LEGEND 79. PROPOSED LEGEND 80. PROPOSED LEGEND 81. PROPOSED LEGEND 82. PROPOSED LEGEND 83. PROPOSED LEGEND 84. PROPOSED LEGEND 85. PROPOSED LEGEND 86. PROPOSED LEGEND 87. PROPOSED LEGEND 88. PROPOSED LEGEND 89. PROPOSED LEGEND 90. PROPOSED LEGEND 91. PROPOSED LEGEND 92. PROPOSED LEGEND 93. PROPOSED LEGEND 94. PROPOSED LEGEND 95. PROPOSED LEGEND 96. PROPOSED LEGEND 97. PROPOSED LEGEND 98. PROPOSED LEGEND 99. PROPOSED LEGEND 100. PROPOSED LEGEND

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	C-4		WAL-MART		Certificate of Architectural No. 2313		No.		Date	
	Sheet No.		EXHIBIT B - SITE DIMENSION PLAN		Activity		Name		Date	
	C-4		WAL-MART		Activity		Name		Date	

EXHIBITS

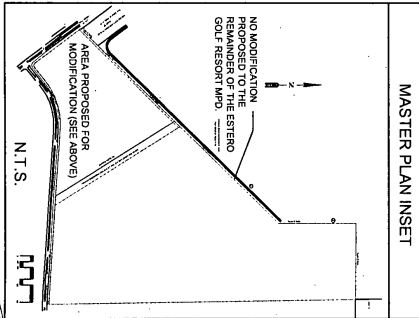
III. A-1 EXISTING EASEMENTS & R.O.W.
(ARE REFLECTED ON THIS MAP)

- NOTES:
I. DIRECT TREE TRUNK SERVICE IS NOT AVAILABLE FOR
II. ALL EXCAVATED SOIL FROM THE SITE WILL BE
REMOVED AND UTILIZED ON SITE.

CROSS ACCESS EASEMENTS

PUD
THE VARIOUS
RESIDENTIAL COMMUNITY

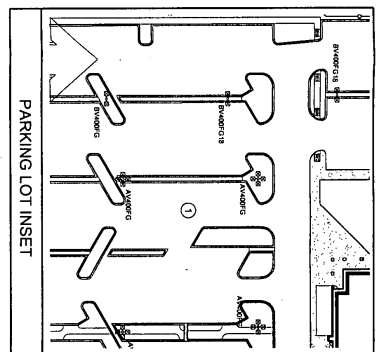
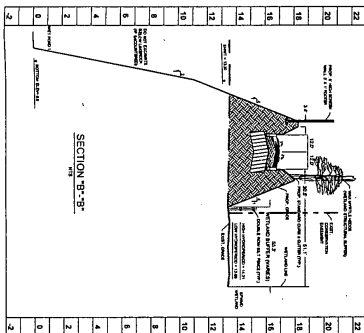
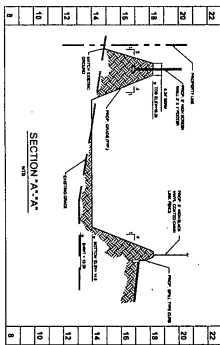
MASTER PLAN INSET



AG-2
(VACANT RESIDENTIAL)

RS-1
(VACANT RESIDENTIAL)

RSC-1
(VACANT RESIDENTIAL)



LDC DEVIATIONS

- RV-3
(CYPRESS BEACH
NO RESIDENTIAL)
1. PARKING WITHIN COMMERCIAL TRACT W/PO-1 WILL UTILIZE UNPAVED CONCRETE SLAB ON A LOT OF WHEEL, STONE, AND CURBING DIFFERENT TYPES OF PAVING SPACES WITHIN ONE AND TWO WAY DRIVE ASSETS TO MINIMIZE OVERCROWDING PARKING PER HOUR.
 2. THE REDUCTION OF THE REQUIRED RETAINMENT TO 30.50 FT FOR EXCAVATION FROM ROAD RIGHT OF WAY TO LANE 10.50 FT (LDC 10.50 FT).
 3. THE REDUCTION OF THE REQUIRED RETAINMENT TO 40.50 FT FOR EXCAVATION FROM THE EXISTING PROPERTY LINE TO LANE 10.50 FT (LDC 10.50 FT).

MASTER CONCEPT PLAN CHANGES (EXHIBIT IV - J, VI - J - 3)

1. THE OFFICE TRACT W/PO-2 AND COMMERCIAL TRACT W/PO-4 SHOWN ON THE EXISTING APPROVED MASTER PLAN IS SELECTED FOR THE INTENTION ACCESS ROAD IS ADDED AS SHOWN FROM THE EXISTING APPROVED MASTER PLAN.
2. THE LOCATION OF THE EXISTING APPROVED MASTER PLAN IS SHOWN FROM THE EXISTING APPROVED MASTER PLAN.
3. THE SCHEDULE OF ASSES FOR TRACT W/PO-1 IS ADDED TO INCLUDE DRUGS AND ALCOHOL, HARDWARE STORE, AUTO PARTS, STONE, AND AUTOMOBILE REPAIR AND SERVICE.
4. COMMERCIAL TRACTS W/PO-1 AND W/PO-3 HAVE NO RESTRICTIONS ON HOURS OF OPERATION.
5. PROPOSED ON DELIVERIES BETWEEN 10 AM AND 10 PM ON COMMERCIAL TRACTS W/PO-1 AND W/PO-3 ARE ADDED TO THE LOCATION AND NUMBER OF DRIVE RETENTION POND AND LANE WITH RETENTION POND ARE ADDED AS SHOWN.
6. REFER TO THE PROPERTY DEVELOPMENT REGULATIONS TABLE FOR THE MAXIMUM BUILDING HEIGHT.

MASTER CONCEPT PLAN AMENDMENT NOTES

1. LOCATION OF TRUNK BUS BRANCHES, REDUCTION OF THE BUS BRANCHES ALONG THE FRONT OF THE STONE LANE BE RELOCATED THERE ARE NO RESERVATIONS, LEFTOVER ROUTE STOPS CURRENTLY AVAILABLE WITHIN THE PROJECT AREA.
2. LOCATION OF SERVICE LOADING AND UNLOADING.
3. REFER TO THE PROPERTY DEVELOPMENT REGULATIONS TABLE FOR THE MAXIMUM BUILDING HEIGHT.

EXHIBIT IV-A-1

ESTERO GOLF RESORT
MASTER CONCEPT PLAN
"WAL-MART OPTION"

Activity	Name	Date	Signature
Designed by:	J.C.P.	07/03	
Drawn by:	T.W.E.	07/03	
Checked by:	J.C.P.	07/03	
Approved by:	J.C.P.	07/03	

Certificate of Authorization No. 1215

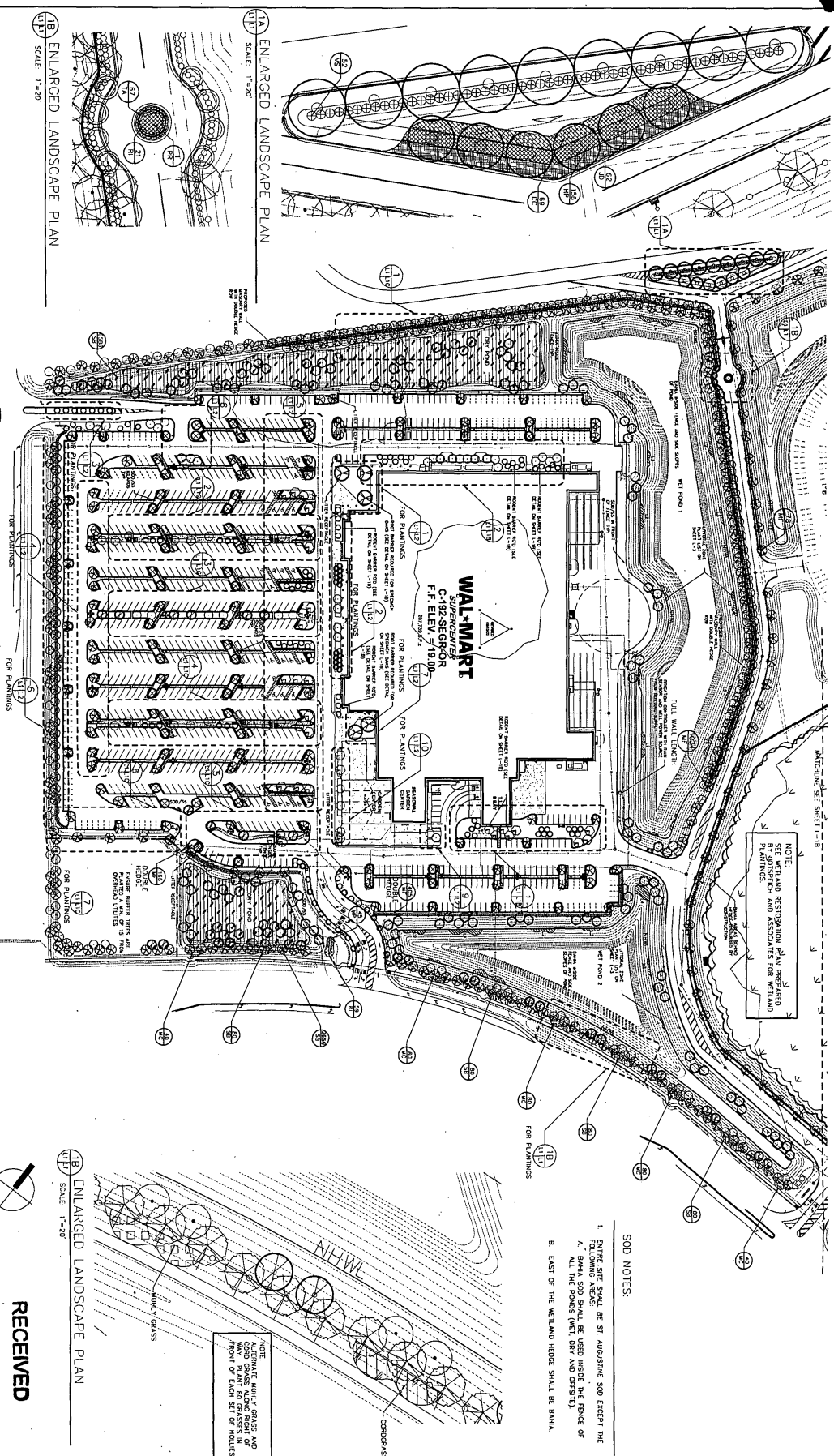
Scale:	1" = 150'
Date:	JULY, 2003
Job No.:	W13303
File:	MASTER-PLAN
Approved:	
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Construction Management
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2211 Park Street, Suite 200, Fort Myers, FL 33901
Phone: (239) 332-5599 Fax: (239) 332-5595

Sheet No.
C-2

APPLICANT'S EXHIBIT
#3
DC1203-00058

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**PROPERTY DEVELOPMENT REGULATIONS
(Wal-Mart Option)**

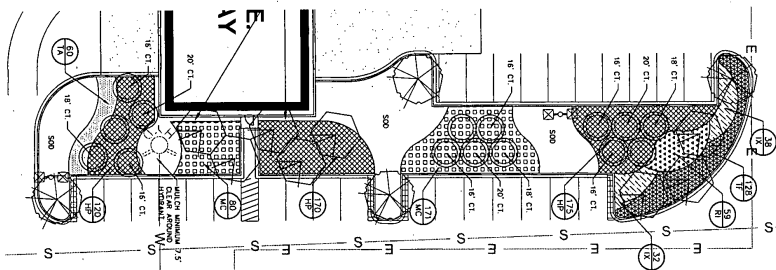
LAND USES	Minimum Lot			Minimum Setback (ft)										Max Lot Coverage (%)	
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side ¹ Incl. Corner Lots (ft)	Rear (ft)			Front (ft)		Water Body (ft)	Max Height (ft) ²	Min Bldg Separation (ft) ²	East of Railroad with Golf Option		East of Railroad without Golf Option
					Lots	Welland	Golf	Acc.	Front Entry Garage						
Single Family Detached	5,000	50	100	5	20	20	0	5	20	12	25	35 or 2 stories	10	65	40
Zero Lot Line	5,000	50	100	0 or 7½	20	20	0	5	20	12	25	35 or 2 stories	10	65	40
Two Family Attached	3750	37½	100	0 or 10	20	20	0	5	20	12	25	35 or 2 stories	10	65	40
Townhouse	2,000	22	80	0 or 10	20	20	0	5	20	15	25	35 or 2 stories	10	65	40
Multi-Family	10,000	100	100	10	20	20	0	5	20	20	25	35 or 2 stories	½ bldg height but not less than 20	n/a	n/a
Clubhouse	20,000	80	100	10	20	20	0	5	n/a	20	25	55 or 4 stories	½ bldg height but not less than 20	70	40
Commercial (MPD 1 & 3)	20,000	80	100	0 or 15 ³	25 ⁴	20	n/a	5	per LDC	per LDC	25	55 or 4 stories	½ bldg height but not less than 20	55	n/a

- Applies to lots of all widths and to corner lots.
- Building height is limited to 35 feet or 2 stories within 200 feet of The Vines and San Carlos Park. Buildings exceeding 35 ft in height must maintain additional building separation or additional building setbacks consistent with LDC Section 34-2174(a) and LDC Section 935(e)4.
- Should the subject property be subdivided, a 0' setback to any internal lot lines will be required.
- Structures in MPD Tract 1 must maintain a 100 ft setback from the Tract 5 property line.

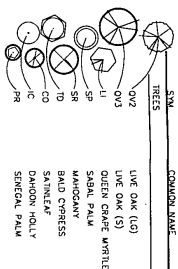
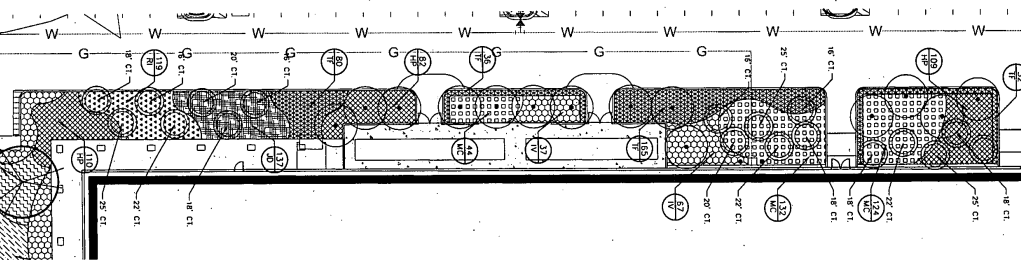
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Invasive exotics.
The following highly invasive exotic plants must be removed from the site and replaced with native plants. The removal of these plants is the responsibility of the contractor. The contractor shall provide a list of the plants to be removed and a list of the native plants to be planted. The contractor shall also provide a plan showing the location of the plants to be removed and the native plants to be planted. The contractor shall also provide a plan showing the location of the plants to be removed and the native plants to be planted.

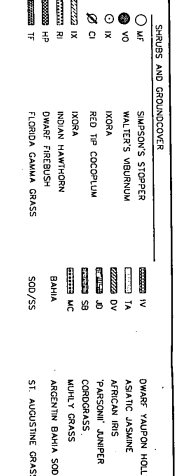
1 ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'



2 ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'



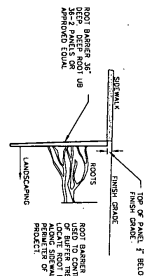
PLANT LEGEND



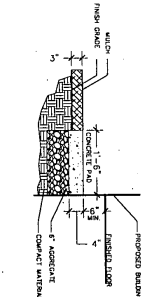
SHRUBS AND GROUNDCOVER

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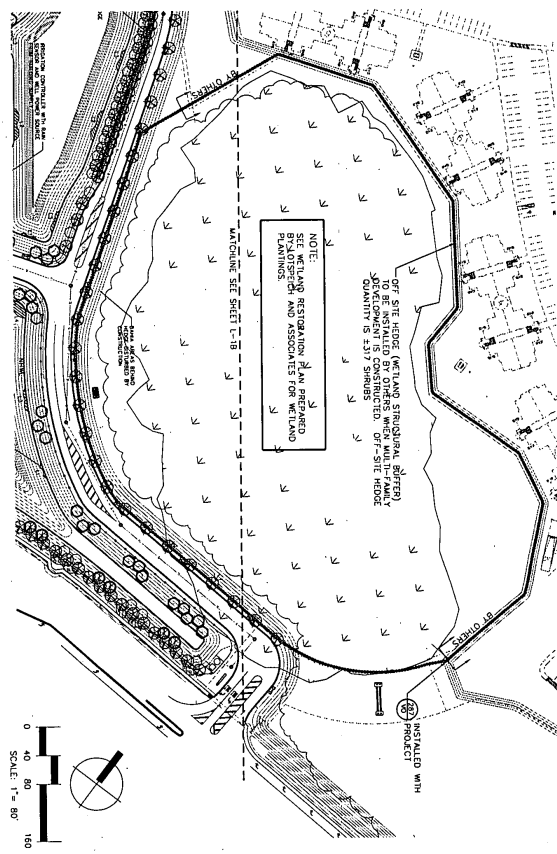
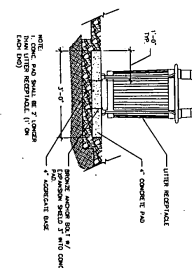
ROOT BARRIER DETAIL
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RODENT BARRIER
SCALE: 1/8"=1'-0"



FURNITURE LEGEND
SCALE: 1/8"=1'-0"



Sheet No.

L-1B

EXHIBIT B - LANDSCAPE PLAN

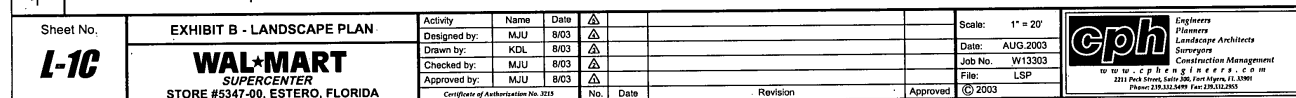
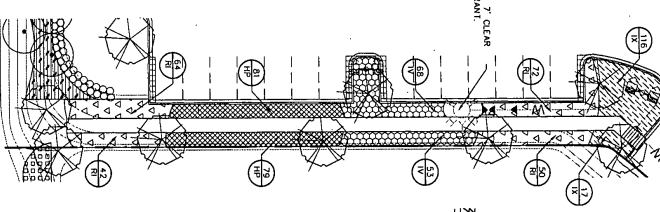
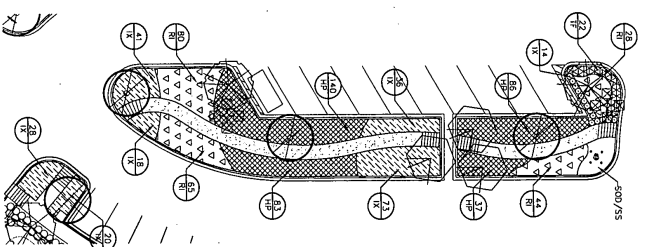
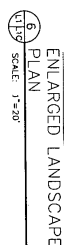
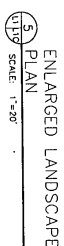
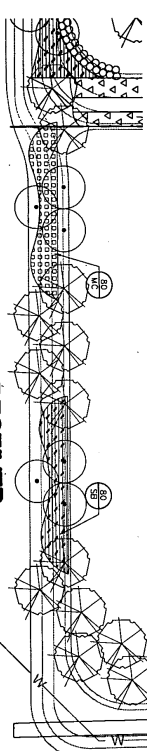
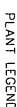
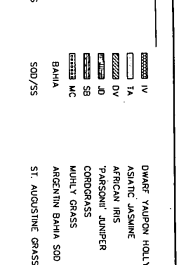
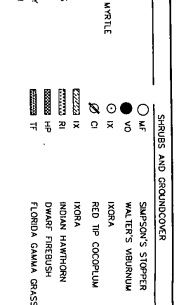
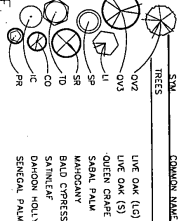
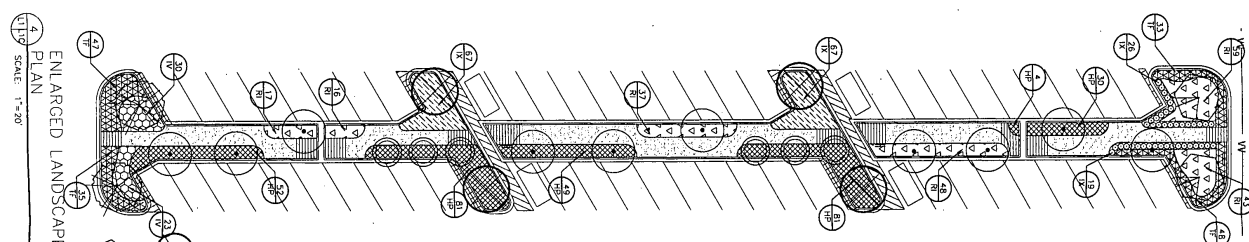
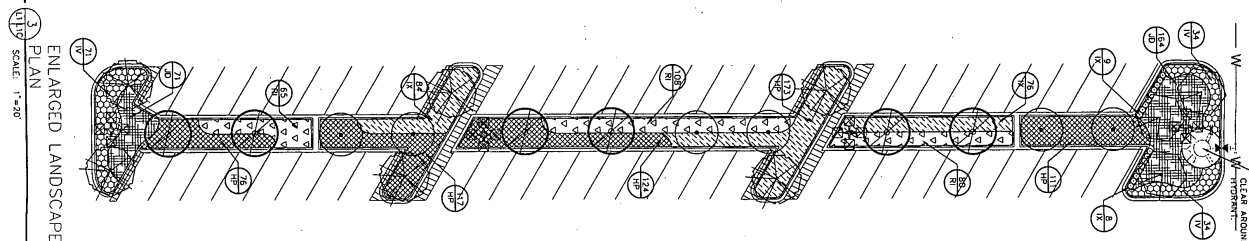
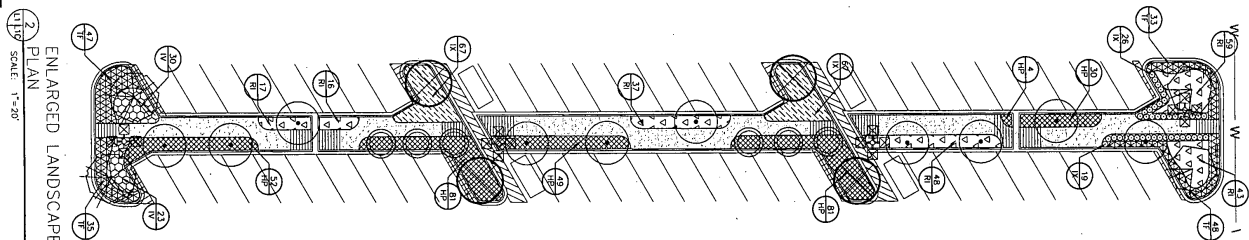
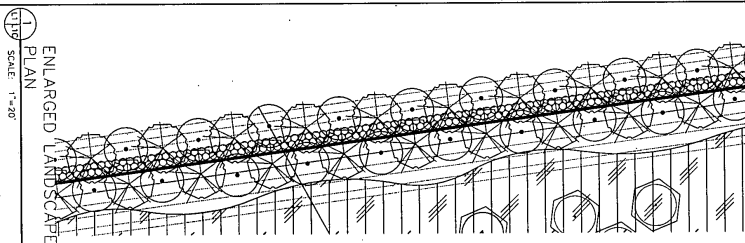
WALMART

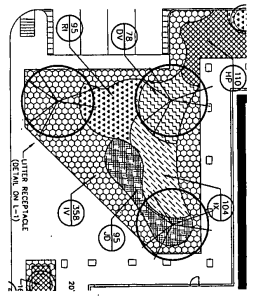
STORE #5347-00, ESTERO, FLORIDA

Activity	Name	Date	Revision
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Drawn by:	KDL	8/03	
Checked by:	MJU	8/03	
Approved by:	MJU	8/03	

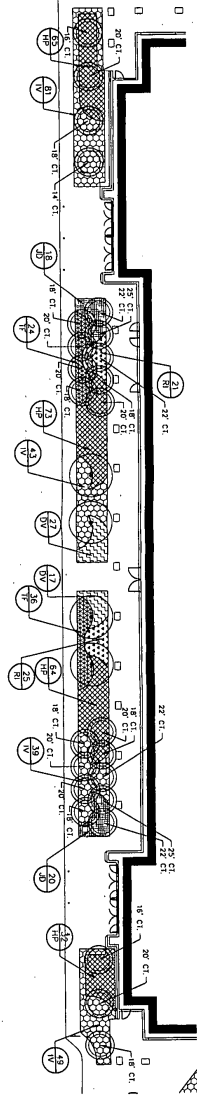
Scale:	AS NOTED
Date:	AUG.2003
Job No.:	W13303
File:	LSP
Approved:	© 2003

cph Engineers
Landscape Architects
Construction Management
www.cph-engineers.com
2011 Park Street, Suite 300, Fort Myers, FL 33901
Phone: 239.332.5499 Fax: 239.332.2853

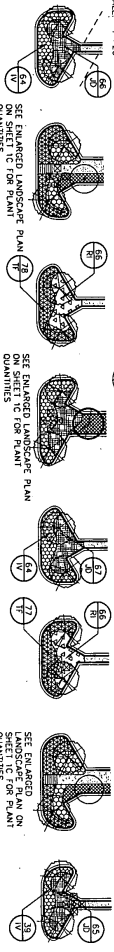




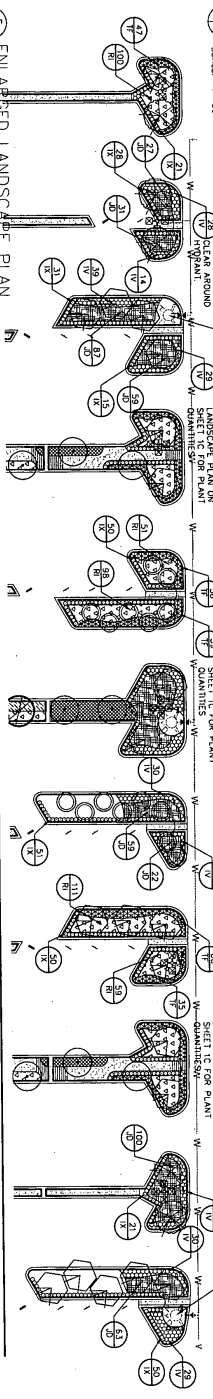
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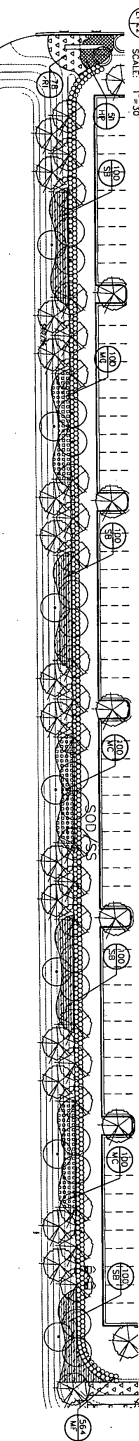
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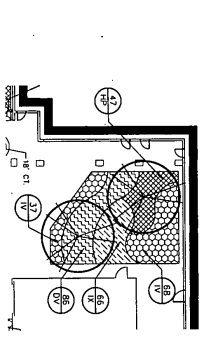
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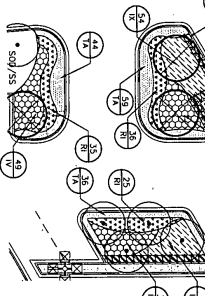
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SCALE: 1"=20'



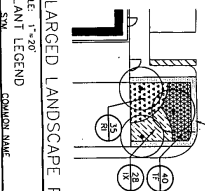
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SCALE: 1"=20'



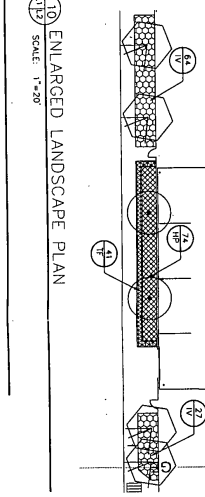
6 ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'



7 ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'



8 ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'



9 ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'

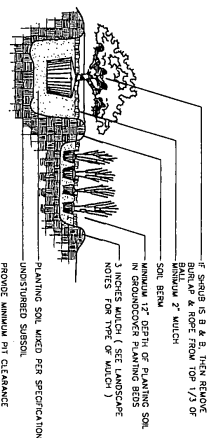
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11	LIVE OAK (5)	11	WALTER'S VIRGINIAN
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13	SLY	13	IC09A
14	SLY	14	IC09A
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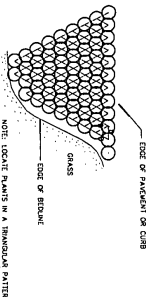
Sheet No. 1-2	EXHIBIT B - LANDSCAPE PLAN WAL-MART SUPERCENTER STORE #5347-00, ESTERO, FLORIDA	Activity Designed by: MJU Drawn by: KDL Checked by: MJU Approved by: MJU	Name MJU KDL MJU MJU	Date 8/03 8/03 8/03 8/03	Revision No. Date	Scale: 1" = 20' Date: AUG. 2003 Job No. W13303 File: LSP	Approved © 2003	 Engineers Planners Landscape Architects Surveyors Construction Management 2211 Park Street, Suite 100, Fort Myers, FL 33901 Phone: 239.332.2400 Fax: 239.332.2205

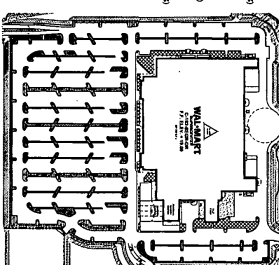
[illegible]

NIS



24



[illegible]

WET POND 1

TYPE	PLANT SOURCE	DESCRIPTION
	1	50 PLANTS 1/2 O.C. - COM. LIT.
	2	200 PLANTS 1/2 O.C. - FODDER WEDS & CANA (MIXED)
	3	6 PLANTS 1/2 O.C. - WHITE WINTER LIT.
	4	100 PLANTS 1/2 O.C. - FODDER WEDS & CANA (MIXED)
	5	400 PLANTS 1/2 O.C. - FODDER WEDS & CANA (MIXED)
	6	2216 PLANTS (1 1/2' OR SHORTER)
	7	2500 PLANTS
	8	PREPARED LITRICAL PLANTS
	9	PREPARED LITRICAL PLANTS
	10	WET POND 2

PERCENTAGE

NATIVE	871
TOTAL	84.8%
NON-NATIVE	156
TOTAL	15.2%

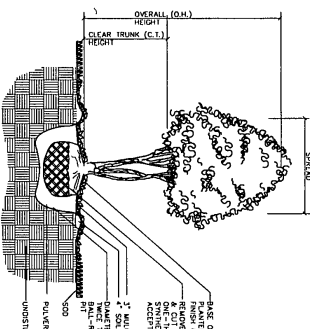
PERCENTAGE

NATIVE	20770
TOTAL	77.3E
NON-NATIVE	5108
TOTAL	22.7E

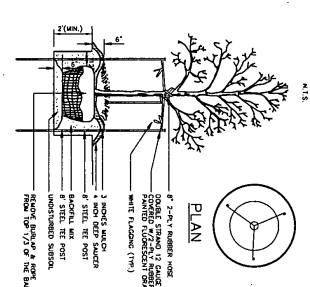
IX	1578	IXORA "NOR"

[illegible]

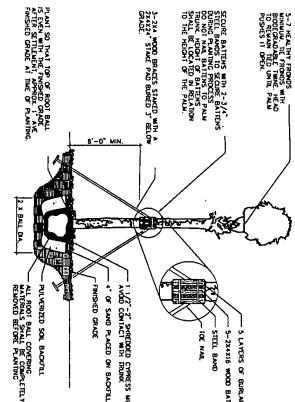
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N.T.S.



NOTES



5

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Williams, Lisa M.

From: Bob Perry [bperry34@comcast.net]
Sent: Tuesday, August 10, 2004 2:49 PM
To: Williams, Lisa M. ; 'Chip Block, AICP'
Cc: Toole, Jason L.; Pankey, Judson (P.E.); ptklein@earthlink.net; 'Neale Montgomery'
Subject: RE: Estero Golf Resort MPD Wal-Mart Delivery Times Condition No. 22

Chip:

I have reviewed the suggested language and agree to this change. Our concerns have always been early morning and late night deliveries plus the annoying back up alarms and this language provides sufficient protection.

Bob

From: Williams, Lisa M. [mailto:lwiliams@cpheng.com]
Sent: Tuesday, August 10, 2004 2:29 PM
To: Chip Block, AICP
Cc: bperry34@comcast.net; Toole, Jason L.; Pankey, Judson (P.E.); ptklein@earthlink.net; Neale Montgomery
Subject: Estero Golf Resort MPD Wal-Mart Delivery Times Condition No. 22
Importance: High

Chip:

I left you a voice mail concerning the Delivery time Condition No. 22. Wal-Mart would prefer not to include the delivery conditions as an issue before the hearing examiner and has reached an agreement with the Vines Community on the revised conditions. Bob Perry has graciously agreed to a conference call (or will call you directly) to discuss this issue. Please review the following suggested language that is proposed by the applicant for this condition.

"All semi-trailer deliveries are limited between 7 AM to 9 PM and all local vendor deliveries (smaller trucks) are limited to 4 AM to 9 PM with a maximum of 2 deliveries prior to 6 AM. All deliveries are prohibited between 9 PM and 4 AM. No Wal-Mart trucks shall use back-up alarms while on the premises, unless it becomes a requirement of the Code of Federal Regulations or to maintain liability insurance coverage. Also, the Vines and Lee County understand that other vendor trucks may come equipped with such devices and Wal-Mart cannot control same. Bread, milk, soda trucks shall use the at grade delivery door, so they will not be required to back up to exit the site."

Please call us to discuss or arrange a call with Bob. By copy of this e-mail we are requesting that Bob respond via e-mail if the Vines is in agreement with the above language for the delivery restrictions.

Best Regards,

Lisa M. Williams
Project Coordinator
CPH Engineers, Inc.
2211 Peck Street, Suite 300
Fort Myers, FL 33901
PH: 239-332-5499
FX: 239-332-2955
lwiliams@cphengineers.com

8/26/2004

APPLICANT'S EXHIBIT # 7
042003-00058

Academic Credentials

B.S. - Environmental Engineering
University of Florida

Licenses

Registered Professional Engineer - Florida
and California

Principal Areas of Expertise

Highway Design with Operations
Emphasis
Major Land Development
Stormwater
Analysis/Design/Rehabilitation
Water and Wastewater Design
Contract Management

Professional Activities

Florida Institute of Consulting Engineers
National Society of Professional Engineers

Mr. Pankey serves CPH Engineers, Inc. as Project Manager. He has over seven years experience, having worked both in the public and private sectors.

Mr. Pankey's experience in the public sector includes management of District Five's Districtwide Miscellaneous Design (Maintenance) Contract. By managing this districtwide contract, Mr. Pankey is knowledgeable of all FDOT production processes. Mr. Pankey coordinated the programming of drainage improvement projects in District Five's five-year work program and gained insight into the limitations placed on public agencies by legislative and budgetary constraints. Mr. Pankey is adept at the development of Joint Project Agreements with local governments.

While at FDOT, Mr. Pankey was also the District Maintenance Contracts Engineer with responsibilities for compilation of emergency and routine maintenance contracts and administration of contract standards to six satellite offices. This experience gives Mr. Pankey a full understanding of contract types, contract special provisions, supplemental agreements, specifications writing, claims prevention/evaluation, and CEI. In addition, Mr. Pankey is familiar with the Trns*Port modules PES/ LAS/SM and QC 2000 specifications.

Mr. Pankey was instrumental in implementing the first total asset management contracts for I-95, SR 528, SR 407, SR 401, and moveable bridges in District 5. Mr. Pankey's previous employment with FDOT provides CPH an intimate understanding of public transportation agencies.

Mr. Pankey has considerable experience in municipal water, wastewater, and stormwater infrastructure, including new construction, operation, and maintenance. He has designed improvements to prevent infiltration/inflow over city-wide sanitary sewer systems, and has considerable experience in stormwater infrastructure repair.

He is experienced in every facet of site engineering ranging from site studies and selection to final design and services during construction. Mr. Pankey excels in his ability to coordinate with the client, jurisdictional agencies, and fellow team members. He has an excellent reputation with clients for providing comprehensive project management.

Recent public projects on which Mr. Pankey has served as the design project manager include: SR A1A at Flagler Beach Revetment, SR 400 (I-4) and Lake Mary Boulevard Sinkhole Stabilization, SR A1A Road Closure at Patrick Air Force Base, and Brevard County Stormwater Ponds and Outfalls Rehabilitation. Recent private sector projects include: Wal-Mart Supercenters, AutoZones, and McDonald's Restaurants across Florida and large scale commercial centers for private developers.

Bernard Kinney Jr., INCE

Principal Acoustical Engineer



Professional Credentials

Bachelor of Science
Oceanographic
Technology
FIT-1986

FDOT Noise Task Team
Member Appointed 1994

Full Member of the
Institute of Noise
Control Engineering

Basis for Team Selection

13 Years of Experience
in the Field of
Environmental Acoustics
Specializing in
Transportation and
Construction Noise and
Vibration.

Qualified Expert Witness
in Transportation Noise
and Vibration for the
FDOT, the OOCEA and
the JTA.

Significant knowledge of
the PD&E process
related to
Transportation Noise
and Vibration

Extensive Public and
Community Involvement
experience

Located in Boca Raton,
Florida

Experience

Mr. Kinney has over 13 years of experience in the field of environmental acoustics. Mr. Kinney has been responsible for the successful completion of numerous large-scale transportation and construction noise monitoring projects for the Florida Department of Transportation. Mr. Kinney has also served as an expert witness in the field of transportation and construction noise for the Florida Department of Transportation Districts II & IV, the Orlando Orange County Expressway Authority and the Jacksonville Transportation Authority. Mr. Kinney has recently been involved with both Pre Development and Post Construction Noise Impact Studies for the Wal-Mart Florida Design Team. Further, Mr. Kinney has been responsible for the development of detailed Sound Control Plans for the Wal-Mart Florida Design Team. Mr. Kinney is a current member of the Florida Department of Transportation Noise Task Team and is a Full Member of the Institute of Noise Control Engineering.

- **2004-** Wal-Mart Supercenter Bonita Springs, Florida. This Pre Development analysis focused on potential noise impacts from a proposed Wal-Mart Supercenter to be located in Bonita Springs, Florida. The results of this analysis indicated that the closest residences were located approximately 30 to 48 feet from the proposed facility. The proposed Sound Control Plan for this facility includes a 10 foot high pre cast concrete noise barrier adjacent to the truck turning circle, a 14 foot high pre cast concrete noise barrier at the truck loading bays, an 8 foot high pre cast noise barrier at the trash compactor location, and a 16.5 foot high pre cast noise barrier at the Hill Phoenix Chiller Units. Further, the positioning of the Wal-Mart Supercenter would provide shielding to the adjacent residences from US-41. Project Manager: Lisa Williams (CPH Engineers, Inc.)
- **2004-** Wal-Mart Supercenter Brandon, Florida. This Post Construction analysis focused on the placement of a 14 foot high pre cast concrete noise barrier at the truck loading bay. Further, the placement of an 8 foot high pre cast concrete noise barrier will be located along the back side of the existing facility. Both of the proposed noise abatement measures will further reduce the existing ambient noise levels at the facility property line and will provide a visual shielding to the closest adjacent residences located approximately 350 feet from the Wal-Mart Supercenter. Project Manager: Keith Malcuit (Kimley- Horn and Associates, Inc.)
- **2004-** Wal-Mart Supercenter Spring Hill, Florida. This Post Construction analysis focused on potential noise abatement measures associated with the normal operating conditions of the Hill Phoenix Chiller System to reduce the potential noise impacts to an adjacent residential community approximately 473 to 572 feet away. The results of this analysis indicated that the potential noise reduction associated with this type of noise abatement measure would not be recognizable or beneficial due to the existing distance relationships between the adjacent residential community and the facility under analysis. Project Manager: Keith Malcuit (Kimley- Horn and Associates, Inc.)

Bernard Kinney Jr., INCE
Principal Acoustical Engineer
Page 2

- **2003- Wal-Mart Supercenter Brooksville, Florida.** This Post Construction analysis focused on the installation of an acoustical blanket system around the facilities Hill Phoenix Chiller System to reduce the potential noise impacts to an adjacent residential community approximately 100 to 380 feet away. Further the placement of a pre cast noise barrier approximately 10 feet high and 220 feet in length at the facilities property line provided noise reduction from the facilities normal operating conditions which benefited an adjacent residential community approximately 100 feet away. Project Manager: Leopoldo Ayala, P.E. (CPH Engineers, Inc.)
- **2003- Wal-Mart Supercenter Palatka, Florida.** This Post Construction analysis focused on the installation of an acoustical blanket system around the facilities Hill Phoenix Chiller System to reduce the potential noise impacts to an adjacent residential community approximately 280 feet away. Project Manager: Leopoldo Ayala, P.E. (CPH Engineers, Inc.)
- **2003- Wal-Mart Supercenter Pembroke Pines, Florida.** This Post Construction analysis focused on the installation of a Highway Traffic Noise Barrier adjacent residential community in close proximity to a recently constructed Wal-Mart Supercenter. The proposed Highway Traffic Noise Barrier was approximately 783 Lineal Feet in length and 8 Feet in height. While Noise Abatement Measures were not required as a part of this analysis due to distance relationships and existing highway traffic noise levels, Wal-Mart agreed to this type of Abatement Measure to please the adjacent residential community. Project Manager: Leopoldo Ayala, P.E. (CPH Engineers, Inc.)
- **2003- Wal-Mart Neighborhood Market, Jacksonville, Florida.** This Pre Development analysis focused potential noise impacts from a proposed Wal-Mart Neighborhood Market to be located in Jacksonville, Florida. The results of this analysis indicated that the closest residences were located approximately 125 feet from the proposed facility and, as such, no adverse noise impacts were anticipated from the proposed project. Further, the positioning of the Wal-Mart Neighborhood Market would provide shielding to the adjacent residences from Atlantic Boulevard. Project Manager: Brian Cassidy (CPH Engineers, Inc.)

- 2003- Wal-Mart Supercenter Estero, Florida. This Pre Development analysis focused potential noise impacts from a proposed Wal-Mart Supercenter to be located in Estero, Florida. The results of this analysis indicated that the closest residences were located approximately 240 to 320 feet from the proposed facility. The proposed Sound Control Plan for this facility includes a 10 foot high pre cast concrete noise barrier adjacent to the truck turning circle, a 16 foot high pre cast concrete noise barrier at the truck loading bays, an 8 foot high pre cast noise barrier at the trash compactor location, and an 18 foot high pre cast noise barrier at the Hill Phoenix Chiller Units. Further, the positioning of the Wal-Mart Supercenter would provide shielding to the adjacent residences from US-41. Project Manager: Lisa Williams (CPH Engineers, Inc.)
- 2003- Wal-Mart Supercenter, Kissimmee, Florida. This Pre Development analysis focused potential noise impacts from a proposed Wal-Mart Supercenter to be located in Kissimmee, Florida. The results of this analysis indicated that due to the close proximity of the adjacent residences, the following noise abatement measures were incorporated into the proposed site plan. The placement of an 18 foot high solid concrete block or pre cast concrete noise barrier would be positioned adjacent to the Hill Phoenix Chiller Units. Further, the placement of a 12 foot high solid concrete block or pre cast concrete noise barrier would be situated between the truck turning circle and the adjacent residences. Project Manager: Jeffery H. Porter, E.I. (Lochrane Engineering, Inc.)
- 2003- Wal-Mart Supercenter, Sarasota, Florida. This Pre Development analysis focused potential noise impacts from a proposed Wal-Mart Supercenter to be located in Sarasota, Florida. The results of this analysis indicated that due to the close proximity of the adjacent residences, the following noise abatement measures were incorporated into the proposed Sound Control Plan. The placement of a 16 foot high solid concrete block or pre cast concrete noise barrier would be positioned adjacent to the loading bays at the back of the proposed facility. In addition, a 10 foot high solid concrete block or pre cast concrete noise barrier would be situated between the truck turning circle and the adjacent residences along the north side of the facility. Further along the west side of the facility, an 8 foot high solid concrete block or pre cast concrete noise barrier would be situated adjacent to the trash compactors and along the western property line of the facility. Project Manager: Frank Pohl, P.E. (CPH Engineers, Inc.)

Bernard Kinney Associates, Inc.

Environmental Noise Consultants

Transportation • Land Development • Construction • Expert Witness • Noise Monitoring Programs

February 23, 2004

Ms. Lisa M. Williams
CPH Engineers, Inc.
2211 Peck Street, Suite 300
Fort Myers, Florida 33901

RE: Wal-Mart Supercenter Estero Sound Control Plan Commitments
Estero, Florida

Dear Ms. Williams:

Below follows the proposed Sound Control Plan Commitments / Stipulations associated with the proposed Wal-Mart Supercenter to be located in Estero, Florida. The Sound Control Plan Commitments / Stipulations have been developed to ensure compliance with the Lee County Noise Ordinance (Chapter 24 Noise Control). Further it is anticipated that there will be no adverse noise impacts to the surrounding community as a result of the proposed Wal-Mart Supercenter.

1. Sound Control Plan A Incorporates a 10 Ft. High Pre Cast Concrete Noise Barrier approximately 1,000 feet in length along the back side of the facility (including the turning circle area) and along the vendor loading area and will have an STC 44 Rating.
2. Sound Control Plan B Incorporates a 16 Ft. High Pre Cast Concrete Noise Barrier approximately 88 feet in length at each of the two rear loading bays and will have an STC 44 Rating.
3. Sound Control Plan C Incorporates a 10 Ft. High Pre Cast Concrete Noise Barrier approximately 100 feet in length along the trash compactor adjacent to the vendor loading area and will have an STC 44 Rating.
4. Sound Control Plan D Incorporates an 18 Ft. High Pre Cast Concrete Noise Barrier approximately 150 feet in length around each of Hill Phoenix Chiller Units adjacent to the vendor loading area and will have an STC 44 Rating. The Hill Phoenix Chillers will be modified with low speed fans and equipment which will further reduce the sound Levels and will eliminate any potential tonal qualities.

It has been a pleasure serving you on this project. Please feel free to contact our office should you have any questions.

Sincerely,

Bernard Kinney Associates, Inc.



Bernard Kinney Jr., INCE

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SOUND CONTROL PLAN A (PLANNED MULTI FAMILY RESIDENCES ADJACENT TO PROPOSED FACILITY)

PROPOSED 10 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT PROPERTY LINE **(TURNING CIRCLE ANALYSIS)**

The following summary has been prepared to demonstrate the existing pre development and proposed site development noise levels associated with the proposed Wal-Mart Supercenter. Sound Control Plan A reflects the Proposed Noise Abatement Measures which will be implemented in order to provide the appropriate noise abatement for the proposed multi family residences which will be located approximately 340 feet from the proposed Wal-Mart Supercenter property line (Adjacent to the Proposed Turning Circle). At the time of the development of Sound Control Plan A, the residential development has been platted; however, the homes have not yet been constructed.

CONDITION – 1 (18 Wheeler Refrigerated Trailer Truck Running in the Turning Circle @ 25.5 Ft. from P/L)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running in the Turning Circle @ 25.5 Ft. from the Facility Property Line.

Existing Ambient Noise Level at the Trailer Truck Under Analysis

78.1 dBA – 82.0 dBA (Turning Circle Movement)

84.3 dBA – 87.1 dBA (Turning Circle Movement w/ Air Brake Release)

CONDITION – 2 (18 Wheeler Refrigerated Trailer Truck Running in the Turning Circle @ 25.5 Ft. from P/L)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running in the Turning Circle @ 25.5 Ft. from the Facility Property Line. (Directly Behind 10 Ft High Pre Cast Concrete Noise Barrier)

Existing Ambient Noise Level at the Trailer Truck Under Analysis

57.7 dBA – 61.0 dBA (Turning Circle Movement)

58.7 dBA – 62.1 dBA (Turning Circle Movement w/ Air Brake Release)

Field Measured Insertion Loss behind the 10 Ft High Noise Barrier

20.4 dBA – 21.0 dBA (Turning Circle Movement)

25.0 dBA – 25.6 dBA (Turning Circle Movement w/ Air Brake Release)

SOUND CONTROL PLAN A (PLANNED MULTI FAMILY RESIDENCES ADJACENT TO PROPOSED FACILITY)

**PROPOSED 10 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT PROPERTY LINE
(TURNING CIRCLE ANALYSIS)**

CONDITION – 3 (18 Wheeler Refrigerated Trailer Truck Running in the Turning Circle @ 25.5 Ft. from P/L)

**Existing ambient field noise level associated with an 18 Wheeler Refrigerated Trailer Truck Running in the Turning Circle @ 25.5 Ft. from the Facility Property Line. (60 Feet from 10 Ft High Pre Cast Concrete Noise Barrier)
Closest Proposed Adjacent Residence from the Proposed Facility is 340 Feet from the Property Line**

Existing Ambient Noise Level at the Trailer Truck Under Analysis

54.8 dBA – 59.2 dBA (Turning Circle Movement)

58.8 dBA – 61.8 dBA (Turning Circle Movement w/ Air Brake Release)

Field Measured Insertion Loss behind the 10 Ft High Noise Barrier @ 60 Ft.

22.8 dBA – 23.3 dBA (Turning Circle Movement)

25.3 dBA – 25.5 dBA (Turning Circle Movement w/ Air Brake Release)

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and a Maximum Permissible Nighttime Noise Level Limit of 55 dBA during the Nighttime Hours (10 pm to 7 am). The proposed Wal-Mart Supercenter has limited the delivery operations to 4 am to 8 pm at the proposed facility. These activities include loading bay operations and deliveries from 18 Wheeler Trailer Trucks and Vendor Trucks.

The additional separation distance of 340 feet from the proposed truck turning circle to the closest proposed multifamily residences will further assist in reducing the anticipated noise levels associated with the truck turning movements within the truck turning circle. It is anticipated that the resultant noise reduction associated with the 10 Ft. high pre cast noise barrier at the truck turning circle and the total separation distance of 340 Ft. between the Wal-Mart Supercenter property line and the closest proposed multi family residences will result in noise levels which not only meet the requirements of the Lee County Noise Ordinance but will not adversely impact the existing ambient field measured noise levels characteristic of the pre development site.

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and 55 dBA during the Nighttime Hours (10 pm to 7 am) when measured at or within the property line of the receiving land use. Note the existing daytime (7am to 10 pm) ambient field noise levels are approximately 47.4 dBA to 49.9 dBA. Similarly, the nighttime (10 pm to 7. am) ambient field noise levels are approximately 56.7 dBA to 58.2 dBA.

**** Note: The proposed 10 Ft. High Pre Cast Concrete Noise Barrier will have an STC 44 Rating.**

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SOUND CONTROL PLAN B (PLANNED MULTI FAMILY RESIDENCES ADJACENT TO PROPOSED FACILITY)

PROPOSED 16 FT. HIGH PRE CAST / CONCRETE BLOCK NOISE BARRIER AT LOADING BAYS

PROPOSED 10 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT BACK SIDE PROPERTY LINE

The following summary has been prepared to demonstrate the existing pre development and proposed site development noise levels associated with the proposed Wal-Mart Supercenter. Sound Control Plan B reflects the Proposed Noise Abatement Measures which will be implemented in order to provide the appropriate noise abatement for the proposed multi family residences which will be located approximately 340 feet from the proposed Wal-Mart Supercenter property line. At the time of the development of Sound Control Plan B, the residential development has been platted; however, the homes have not yet been constructed.

CONDITION – 1 (18 Wheeler Refrigerated Trailer Truck Running Full Idle @ Loading Bay)

Existing ambient field noise level associated with an 18 Wheeler Refrigerated Trailer Truck Running Full Idle at an existing loading bay with a 16 ft high concrete block noise barrier.

Existing Ambient Noise Level at Approximately 10 Feet from the Trailer Truck under Analysis

82.6 dBA – 83.3 dBA

CONDITION – 2 (18 Wheeler Refrigerated Trailer Truck Running Full Idle @ Loading Bay)

Existing ambient field noise level associated with an 18 Wheeler Refrigerated Trailer Truck Running Full Idle at an existing loading bay with a 16 ft high concrete block noise barrier.

Existing Ambient Noise Level at the Immediate Back Side of the 16 Ft High Concrete Block Noise Barrier

58.8 dBA – 61.3 dBA

Field measured Insertion Loss behind the 16 ft high noise barrier

22.0 dBA – 23.8 dBA

SOUND CONTROL PLAN B (PLANNED MULTI FAMILY RESIDENCES ADJACENT TO PROPOSED FACILITY)

PROPOSED 16 FT. HIGH PRE CAST / CONCRETE BLOCK NOISE BARRIER AT LOADING BAYS

PROPOSED 10 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT BACK SIDE PROPERTY LINE

CONDITION – 3 (18 Wheeler Refrigerated Trailer Truck Running Full Idle @ Loading Bay)

Existing ambient field noise level associated with an 18 Wheeler Refrigerated Trailer Truck Running Full Idle at an existing loading bay with a 16 foot high concrete block noise barrier.

Existing Ambient Noise Level at 75 feet from the Back Side of the 16 Ft High Concrete Block Noise Barrier

56.3 dBA – 59.8 dBA

Field measured Insertion Loss at 75 feet from the 16 foot high noise barrier

23.5 dBA – 26.3 dBA

CONDITION – 4 (18 Wheeler Refrigerated Trailer Truck Running Full Idle @ Loading Bay)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running Full Idle at an Existing Loading Bay with a 16 Foot High Concrete Block Noise Barrier.

Existing Ambient Noise Level at 75 feet from the Back Side of the 16 Ft High Concrete Block Noise Barrier

66.3 dBA (Air Brake Release Outside of Loading Bay)

72.1 dBA (18 Wheeler Trailer Truck Pass By Outside of Loading Bay)

Field measured Insertion Loss from the 10 ft high noise barrier

25.0 dBA – 25.6 dBA (Air Brake Release)

20.4 dBA – 21.0 dBA (Trailer Truck Pass By)

58.7 – 62.1 dBA (Air Brake Release Outside of Loading Bay)

57.7 – 61.0 dBA (18 Wheeler Trailer Truck Pass By Outside of Loading Bay)

CONDITION – 5(18 Wheeler Refrigerated Trailer Truck Running Full Idle @ Loading Bay)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running Full Idle at an Existing Loading Bay with a 16 Ft High Concrete Block Noise Barrier.

Existing Ambient Noise Level Directly Behind the Proposed 10 Ft High Pre Cast Concrete Noise Barrier

47.4 dBA – 49.9 dBA

Field measured Insertion Loss behind the 10 ft high noise barrier

8.9 dBA – 9.9 dBA

SOUND CONTROL PLAN B (PLANNED MULTI FAMILY RESIDENCES ADJACENT TO PROPOSED FACILITY)

PROPOSED 16 FT. HIGH PRE CAST / CONCRETE BLOCK NOISE BARRIER AT LOADING BAYS

PROPOSED 10 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT BACK SIDE PROPERTY LINE

CONDITION – 6(18 Wheeler Refrigerated Trailer Truck Running Full Idle @ Loading Bay)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running Full Idle at an Existing Loading Bay with a 16 Ft High Concrete Block Noise Barrier.

Existing Ambient Noise Level at a Distance of 60 Feet from the Proposed 10 Ft High Pre Cast Concrete Noise Barrier

47.4 dBA – 49.9 dBA

Field measured Insertion Loss behind the 10 ft high noise barrier

8.9 dBA – 9.9 dBA

*** The existing pre development noise levels along the north perimeter of the proposed Wal-Mart Supercenter was approximately 47.4 dBA to 49.9 dBA and, as such, the proposed 10 Ft high pre cast concrete noise barrier cannot provide a resultant insertion loss that would result in an existing ambient noise level below the established pre development site ambient noise level.**

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and a Maximum Permissible Nighttime Noise Level Limit of 55 dBA during the Nighttime Hours (10 pm to 7 am). The proposed Wal-Mart Supercenter has limited the delivery operations to 4 am to 8 pm at the proposed facility. These activities include loading bay operations and deliveries from 18 Wheeler Trailer Trucks and Vendor Trucks.

The additional separation distance of 390 – 400 feet from the proposed truck loading bays to the closest proposed multifamily residences will further assist in reducing the anticipated noise levels associated with the truck loading bays. It is anticipated that the resultant noise reduction associated with the 10 Ft. high pre cast noise barrier at the truck turning circle and the total separation distance of 340 Ft. between the Wal-Mart Supercenter property line and the closest proposed multi family residences will result in noise levels which not only meet the requirements of the Lee County Noise Ordinance but will not adversely impact the existing ambient field measured noise levels characteristic of the pre development site.

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and 55 dBA during the Nighttime Hours (10 pm to 7 am) when measured at or within the property line of the receiving land use. Note the existing daytime (7am to 10 pm) ambient field noise levels are approximately 47.4 dBA to 49.9 dBA. Similarly, the nighttime (10 pm to 7 am) ambient field noise levels are approximately 56.7 dBA to 58.2 dBA.

**** Note: The proposed 16 Ft. and 10 Ft. High Pre Cast Concrete Noise Barriers will have an STC 44 Rating.**

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SOUND CONTROL PLAN C (VINES RESIDENTIAL ADJACENT TO THE PROPOSED FACILITY)

SEPARATION DISTANCE FROM THE PROPOSED LOADING BAYS AND TRUCK TURNING CIRCLE

The following summary has been prepared to demonstrate the existing pre development and proposed site development noise levels associated with the proposed Wal-Mart Supercenter. Sound Control Plan C reflects the separation distance proposed from the turning circle adjacent to the loading bays which will be proposed in order to provide the appropriate noise abatement for the existing single family residences which will be located approximately 665 feet from the proposed Wal-Mart Supercenter turning circle area. (Note: The separation distance from the truck turning circle to the Wal-Mart Property Line is approximately 565 Feet).

CONDITION – 1 (18 Wheeler Refrigerated Trailer Truck Running Idle at Loading Bay)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running @ Loading Bays and at the Truck Turning Circle.

Existing Ambient Noise Level at the Trailer Truck Under Analysis

82.6 dBA – 83.3 dBA (Loading Bay Operations)

75.7 dBA (Merchandise Trailer Truck Loading Bay Operations)

78.1 dBA – 82.0 dBA (Turning Circle Movement)

84.3 dBA – 87.1 dBA (Turning Circle Movement w/ Air Brake Release)

66.3 dBA – 70.4 dBA (Single Vendor Truck Running at Loading Bay)

69.4 dBA – 74.7 dBA (Multiple Vendor Trucks Running at Loading Bay)

CONDITION – 2 (18 Wheeler Refrigerated Trailer Truck Running Idle at Loading Bay @ 300 Ft. from P/L) *

Existing Ambient Field Noise Level Associated with an 18 Wheeler Refrigerated Trailer Truck Running @ 300 Ft. from the Loading Bays and Truck Turning Circle

Existing Ambient Noise Level at the Trailer Truck Under Analysis

53.7 dBA – 56.7 dBA (Loading Bay Operations) *

55.3 dBA (Loading Bay Operations w/ Air Brake Release) *

CONDITION – 3 (18 Wheeler Merchandise Trailer Truck Running Idle at Loading Bay @ 300 Ft. from P/L)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Merchandise Trailer Truck Running @ 300 Ft. from the Loading Bays and Truck Turning Circle

Existing Ambient Noise Level at the Trailer Truck Under Analysis

49.7 dBA – 52.7 dBA (Loading Bay Operations)

51.3 dBA (Loading Bay Operations w/ Air Brake Release)

SOUND CONTROL PLAN C (VINES RESIDENTIAL ADJACENT TO THE PROPOSED FACILITY)

SEPARATION DISTANCE FROM THE PROPOSED LOADING BAYS AND TRUCK TURNING CIRCLE

CONDITION – 4 (18 Wheeler Refrigerated Trailer Truck Running with Backup Alarm @ Loading Bay)

Existing Ambient Field Noise Level Associated with an 18 Wheeler Merchandise Trailer Truck Running with Backup Alarm at Loading Bay at 25.5 Ft. and 300 Ft.

75.7 dBA (Trailer Truck Running w/ Backup Alarm)

53.7 dBA – 56.7 dBA (Same Condition @ 300 Ft. from the Facility)

CONDITION – 5 (Fork Lift with Backup Alarm at Facility)

Existing Ambient Field Noise Level Associated with a Fork Lift with Backup Alarm Running During Normal Operations @ 25.5 Ft. and 300 Ft.

64.8 dBA (Fork Lift Running w/ Backup Alarm)

49.7 dBA – 52.7 dBA (Same Condition @ 300 Ft. from the Facility)

Note: Both the Merchandise Trailer Truck Running with the Backup Alarm On and the Forklift Running with the Backup Alarm On have Source Noise Levels at or Below the Merchandise Truck Analysis (See Condition # 1). Therefore the Noise Reduction Results Presented in Condition # 3 Would Apply.

CONDITION – 6 (Trash Compactor Running at Facility)

Existing Ambient Field Noise Level Associated with the Facility Trash Compactor Behind an 8 Ft. High Concrete Block Wall @ 288 Ft. from the Facility (Proposed Separation Distance from the Facility).

71.2 dBA – 74.2 dBA (Trash Compactor Running @ 5 Ft.)

53.2 dBA – 53.8 dBA (Same Condition Behind 11 Ft. High Concrete Block Wall)

49.7 dBA – 52.7 dBA (Same Condition @ 300 Ft. from the Facility)

Note: The Existing Sound Control Plan includes a 10 Ft. High Concrete Block Wall around the Trash Compactor. The Sound Control Plan associated with the Merchandise Trailer Truck indicated that at a Separation Distance of 300 Ft., Potential Noise Abatement Measures were not Necessary. The Trash Compactor has a Separation Distance of 288 Ft. from the Facilities Property Line and therefore Potential Noise Abatement Measures would not be required. However an 8 Ft. High Concrete Block Wall has been Included on the Current Site Plan.

SOUND CONTROL PLAN C (VINES RESIDENTIAL ADJACENT TO THE PROPOSED FACILITY)

SEPARATION DISTANCE FROM THE PROPOSED LOADING BAYS AND TRUCK TURNING CIRCLE

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and a Maximum Permissible Nighttime Noise Level Limit of 55 dBA during the Nighttime Hours (10 pm to 7 am). The proposed Wal-Mart Supercenter has limited the delivery operations to 4 am to 8 pm at the proposed facility. These activities include loading bay operations and deliveries from 18 Wheeler Trailer Trucks and Vendor Trucks.

The additional separation distance of 665 feet from the proposed truck turning circle to the closest existing single family residences will further assist in reducing the anticipated noise levels associated with the truck turning movements within the truck turning circle. It is anticipated that the resultant noise reduction associated with this separation distance from the truck turning circle and the total separation distance of 565 Ft. between the Wal-Mart Supercenter property line and the truck turning circle will result in noise levels which not only meet the requirements of the Lee County Noise Ordinance but will not adversely impact the existing ambient field measured noise levels characteristic of the pre development site. Further, the separation distance from the vendor truck loading area to the proposed Wal-Mart Supercenter property line is 257 feet and the total separation distance to the closest existing single family residence is 345 feet. It is important to note that the vendor trucks do not leave the trucks running during deliveries and, as such, there will be no adverse impacts to the closest existing residence. The existing noise levels from multiple vendor trucks are similar in nature to a merchandise trailer truck running.

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and 55 dBA during the Nighttime Hours (10 pm to 7 am) when measured at or within the property line of the receiving land use. Note the existing daytime (7am to 10 pm) ambient field noise levels are approximately 47.4 dBA to 49.9 dBA. Similarly, the nighttime (10 pm to 7 am) ambient field noise levels are approximately 56.7 dBA to 58.2 dBA.

**** Note: The proposed 10 Ft. High Pre Cast Concrete Noise Barrier will have an STC 44 Rating.**

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SOUND CONTROL PLAN D (VINES RESIDENTIAL ADJACENT TO PROPOSED FACILITY)

PROPOSED 18 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT HILL PHOENIX CHILLERS

The following summary has been prepared to demonstrate the existing pre development and proposed site development noise levels associated with the proposed Wal-Mart Supercenter. Sound Control Plan D reflects the Proposed Noise Abatement Measures which will be implemented in order to provide the appropriate noise abatement for the existing Vines Residential Community which will be located approximately 88 Ft. from the proposed Wal-Mart Supercenter property line. Note: (1) Proposed Wal-Mart Supercenter to the Vines Residential Development is approximately 350-360 Ft. (2) Proposed Wal-Mart Supercenter to Wal-Mart Property Line is approximately 262-272 Ft.

CONDITION – 1 (Hill Phoenix Chillers Running at approximately 5 Ft.)

Existing Ambient Field Noise Level Associated with the Hill Phoenix Chillers at approximately 5Ft.

78.5 dBA (Daytime 7am to 10 pm)

77.0 dBA – 77.5 dBA (Nighttime 10 pm to 7am) (77.3 dBA Average)

CONDITION – 2 (Hill Phoenix Chillers Running at approximately 60 Ft.)

Existing Ambient Field Noise Level Associated with the Hill Phoenix Chillers at approximately 60Ft.

64.8 dBA (Daytime 7am to 10 pm)

63.8 dBA – 64.1 dBA (Nighttime 10 pm to 7 am) (64.0 dBA Average)

CONDITION – 3 (Hill Phoenix Chillers Running at approximately 90 Ft.)

Existing Ambient Field Noise Level Associated with the Hill Phoenix Chillers at approximately 90Ft.

62.8 dBA (Daytime 7am to 10 pm)

60.8 dBA – 61.5 dBA (Nighttime 10 pm to 7 am) (61.2 dBA Average)

SOUND CONTROL PLAN D (VINES RESIDENTIAL ADJACENT TO PROPOSED FACILITY)

PROPOSED 18 FT. HIGH PRE CAST CONCRETE NOISE BARRIER AT HILL PHOENIX CHILLERS

CONDITION – 4 (Existing Ambient Noise Level @ the Vines Residential Property Line)

Existing Ambient Field Noise Level @ the Vines Residential Property Line. (Proposed Separation Distance from the Wal-Mart Property Line is approximately 88 Ft.

47.4 dBA – 49.9 dBA (Daytime 7am to 10 pm)

56.7 dBA – 58.2 dBA (Nighttime 10 pm to 7 am)

ANTICIPATED NOISE REDUCTION ASSOCIATED WITH THE HILL PHOENIX CHILLERS

Based upon the results of the distance relationship noise reduction analysis performed upon an existing Hill Phoenix Chiller System located at an existing Wal-Mart Supercenter located in Orlando, Florida, the following resultant noise levels have been derived based upon the actual noise reduction as a function of distance.

Hill Phoenix Chiller System during normal operating conditions during the daytime (7am to 10 pm) hours.

At 5 Ft. from Source – 78.5 dBA

At 60 Ft. from Source – 64.8 dBA

At 90 Ft. from Source – 62.8 dBA

At 180 Ft. from Source – 55.8 dBA* (WMSC to P/L Approximately 262-272 Feet)

At 360 Ft. from Source – 52.3 dBA* (WMSC to Closest Vines Residence approximately 350-360 Feet)

Hill Phoenix Chiller System during normal operating conditions during the nighttime (10 pm to 7 am) hours.

At 5 Ft. from Source – 77.3 dBA

At 60 Ft. from Source – 64.0 dBA

At 90 Ft. from Source – 61.2 dBA

At 180 Ft. from Source – 53.2 dBA* (WMSC to P/L Approximately 262-272 Feet)

At 360 Ft. from Source – 49.2 dBA* (WMSC to Closest Vines Residence approximately 350-360 Feet)

* Interpolated results based upon the noise reduction as a function of distance relationships

The Lee County Noise Ordinance has established a Maximum Permissible Daytime Noise Level Limit of 66 dBA during the Daytime Hours (7 am to 10 pm) and 55 dBA during the Nighttime Hours (10 pm to 7 am) when measured at or within the property line of the receiving land use. Note the existing daytime (7am to 10 pm) ambient field noise levels are approximately 47.4 dBA to 49.9 dBA. Similarly, the nighttime (10 pm to 7 am) ambient field noise levels are approximately 56.7 dBA to 58.2 dBA.

**** Note: The proposed 18 Ft. High Pre Cast Concrete Noise Barrier will have an STC 44 Rating.**

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May 27, 2003

Ms. Lisa M. Williams
CPH Engineers, Inc.
2310 First Street, Suite 204
Fort Myers, Florida 33901

RE: Wal-Mart Estero Koreshan Site Noise Impact Analysis
Estero, Florida

Dear Ms. Williams:

At your request, a comparative site noise impact analysis was conducted for the proposed Wal-Mart Super Store to be situated on the existing Koreshan Site located in Estero, Florida. The purpose of this analysis was to establish the existing ambient noise levels at specific locations adjacent to the perimeter of the proposed Wal-Mart Super Store to determine whether potential noise impacts may occur during the daytime and nighttime hours as a result of the facilities normal operating conditions. Similarly, the same level of analysis was conducted at the existing Wal-Mart Super Store located in Fort Myers, Florida in order to determine the resultant noise levels at the existing facilities property line. Further, both daytime and nighttime, field noise monitoring was conducted at specific locations adjacent to residential land uses for the proposed Wal-Mart Super Store. The results of the field noise monitoring will be compared to the maximum permissible noise levels contained within the Lee County Noise Ordinance (Chapter 24 Noise Control) to ensure that the noise levels associated with the proposed Wal-Mart Super Store to be situated on the existing Koreshan Site located in Estero, Florida, are within compliance with Lee County. Consequently, field noise monitoring was conducted on from May 19th through May 21st during the daytime (7am to 10 pm) and nighttime (10 pm to 7am) hours at both the proposed site and the existing comparative site.

The first phase of this evaluation consisted of conducting daytime (7 am to 10 pm) and nighttime (10 pm to 7 am) field noise monitoring at specific locations for both the proposed Wal-Mart Super Store to be located in Estero and at the existing comparative site Wal-Mart Super Store located in Fort Myers. Field noise monitoring was conducted at the proposed and existing property line of each of the facilities, during normal operating conditions, where potential noise impacts could occur. Field noise monitoring was also conducted at the adjacent residences for the proposed facility under study. The results of this phase of the analysis will establish the existing ambient noise levels for both the existing and proposed facilities during normal operating conditions and will determine where potential noise impacts occur, if any, from the facility under study. The field noise monitoring was conducted utilizing multiple Quest 2900 Type II Integrating / Logging Sound Level Meters.

The second phase of this evaluation consisted of comparing the existing ambient noise levels to that of the Lee County Noise Ordinance (Chapter 24 Noise Control) to ensure that the noise levels associated with the proposed Wal-Mart Super Store meet the criteria established by Lee County. In situations where the established noise level criterion is exceeded, potential noise abatement measures will be recommended.

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May 27, 2003

Ms. Lisa M. Williams
CPH Engineers, Inc.
2310 First Street, Suite 204
Fort Myers, Florida 33901
Page 2

Noise Analysis Results

For the purposes of this analysis, Receptors R- ESTERO-1 through R-ESTERO-4 represent the noise monitoring locations associated with the Proposed Wal-Mart Koreshan Site located in Estero, Florida. The following table depicts the results of the on-site field noise monitoring associated with these receptors at the Proposed Wal-Mart Koreshan Site. Field noise monitoring was conducted over a three day period during the Daytime (7 am to 10 pm) hours and the Nighttime (10pm to 7 am) hours to establish the existing ambient noise levels.

Table 1.0 Existing Daytime Ambient Noise Levels for the Proposed Wal-Mart Koreshan Site Estero Florida

Receptor #	Date	Location and Ambient Noise Level Range (dBA) *	Average Noise Level (dBA) *	Comments
R-ESTERO-1		Koreshan Site @ US - 41		Local Traffic Volumes Along
100 Ft From US 41	5/20/03	62.6 – 64.9	63.7	US – 41
	5/20/03	64.2 – 64.5	64.4	
	5/21/03	61.7 – 66.8	63.0	
	5/21/03	63.2 – 64.2	63.8	
		(Daytime 7 am to 10 pm)		(Ambient Background)
R-ESTERO-2		Koreshan Site @ US - 41		Local Traffic Volumes Along
200 Ft From US 41	5/20/03	55.0 – 57.1	56.2	US – 41
	5/20/03	57.1 – 57.5	57.3	
	5/21/03	54.2 – 59.5	56.4	
	5/21/03	55.8 – 56.3	56.1	
		(Daytime 7 am to 10 pm)		(Ambient Background)
R-ESTERO-3		Koreshan Site @ US - 41		Local Traffic Volumes Along
300 Ft From US 41	5/20/03	52.2 – 55.2	53.6	US – 41
	5/20/03	54.4 – 55.5	54.8	
	5/21/03	50.9 – 56.0	53.5	
	5/21/03	52.4 – 52.8	52.6	
		(Daytime 7 am to 10 pm)		(Ambient Background)
R-ESTERO-4		Koreshan Site @ US - 41		Local Traffic Volumes Along
450 Ft From US 41	5/20/03	48.2 – 51.5	49.9	US – 41
	5/20/03	48.6 – 50.8	49.7	Local Residential Traffic
	5/21/03	46.8 – 50.6	49.2	(Vines Residential)
	5/21/03	47.1 – 47.9	47.4	
		(Daytime 7 am to 10 pm)		(Ambient Background)

* Defined as the LAeq Noise Descriptor which is defined as the Level (A- weighted) equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period

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Noise Analysis Results

For the purposes of this analysis, Receptors R- ESTERO-1 through R-ESTERO-4 represent the noise monitoring locations associated with the Proposed Wal-Mart Koreshan Site located in Estero, Florida. The following table depicts the results of the on-site field noise monitoring associated with these receptors at the Proposed Wal-Mart Koreshan Site. Field noise monitoring was conducted over a three day period during the Daytime (7 am to 10 pm) hours and the Nighttime (10pm to 7 am) hours to establish the existing ambient noise levels.

Table 2.0 Existing Nighttime Ambient Noise Levels for the Proposed Wal-Mart Koreshan Site Estero Florida

Receptor #	Date	Location and Ambient Noise Level Range (dBA) *	Average Noise Level (dBA) *	Comments
R-ESTERO-1		Koreshan Site @ US - 41		
100 Ft From US 41	5/19/03	57.7 – 60.4	59.2	Local Traffic Volumes Along
	5/20/03	57.4 – 60.1	58.5	US – 41
	5/21/03	56.6 – 58.2	57.4	
		(Nighttime 10 pm to 7 am)		(Ambient Background)
R-ESTERO-2		Koreshan Site @ US - 41		
200 Ft From US 41	5/19/03	51.9 – 54.2	53.0	Local Traffic Volumes Along
	5/20/03	51.3 – 53.7	52.1	US – 41
	5/21/03	50.7 – 52.1	51.5	
		(Nighttime 10 pm to 7 am)		(Ambient Background)
R-ESTERO-3		Koreshan Site @ US - 41		
300 Ft From US 41	5/19/03	50.7 – 52.2	51.4	Local Traffic Volumes Along
	5/20/03	50.9 – 52.5	51.4	US – 41
	5/21/03	50.7 – 51.6	51.1	
		(Nighttime 10 pm to 7 am)		(Ambient Background)
R-ESTERO-4		Koreshan Site @ US - 41		
450 Ft From US 41	5/19/03	56.0 – 57.6	56.7	Local Traffic Volumes Along
	5/20/03	57.6 – 58.5	58.2	US – 41
	5/21/03	58.0 – 58.4	58.2	(Crickets)
		(Nighttime 10 pm to 7 am)		(Ambient Background)

* Defined as the LAeq Noise Descriptor which is defined as the Level (A- weighted) equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period

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Noise Analysis Results

For the purposes of this analysis, Receptors R- WMSS-1 through R-WMSS-4 represent the noise monitoring locations associated with the Existing Wal-Mart Super Store located in Fort Myers, Florida. The following table depicts the results of the on-site field noise monitoring associated with these receptors at the Existing Wal-Mart Super Store. Field noise monitoring was conducted over a three day period during the Daytime (7 am to 10 pm) hours and the Nighttime (10pm to 7 am) hours to establish the existing ambient noise levels.

Table 3.0 Existing Daytime Ambient Noise Levels for the Wal-Mart Superstore Fort Myers Florida

Receptor #	Date	Location and Ambient Noise Level Range (dBA) *	Average Noise Level (dBA) *	Comments
R-WMSS-1		WMSS Front of Store		
	5/20/03	59.9 – 61.4	60.6	Normal Daytime Store Activities
	5/20/03	60.5 – 62.7	61.6	
	5/21/03	67.1 – 67.9	67.5	Normal Parking Lot Activities
	5/21/03	60.0 – 61.9	61.3	
		(Daytime 7 am to 10 pm)		(Ambient Background)
R-WMSS-2		WMSS South Side of Store		
	5/20/03	59.1 – 62.9	61.5	Roof Top AC Units Running
	5/20/03	62.6 – 67.1	64.8	
	5/21/03	60.0 – 65.0	62.5	Tire Center Operations/ Loading Bay
	5/21/03	56.6 – 58.9	57.8	
		(Daytime 7 am to 10 pm)		(Ambient Background)
R-WMSS-3		WMSS Back Side of Store		
	5/20/03	51.4 – 65.3	59.9	Roof Top AC Units Running
	5/20/03	66.6 – 68.6	67.9	
	5/21/03	55.9 – 67.7	62.6	Forklift + Trailer Truck Activity
	5/21/03	51.5 – 57.8	54.7	
		(Daytime 7 am to 10 pm)		(Ambient Background)
R-WMSS-4		WMSS North Side of Store		
	5/20/03	52.1 – 53.4	52.8	Roof Top AC Units Running
	5/20/03	61.0 – 63.6	62.3	
	5/21/03	52.1 – 56.4	54.3	Trailer Truck Loading / Forklift
	5/21/03	49.1 – 50.0	49.6	
		(Daytime 7 am to 10 pm)		(Ambient Background)

* Defined as the LAeq Noise Descriptor which is defined as the Level (A- weighted) equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period

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Noise Analysis Results

For the purposes of this analysis, Receptors R- WMSS-1 through R-WMSS-4 represent the noise monitoring locations associated with the Existing Wal-Mart Super Store located in Fort Myers, Florida. The following table depicts the results of the on-site field noise monitoring associated with these receptors at the Existing Wal-Mart Super Store. Field noise monitoring was conducted over a three day period during the Daytime (7 am to 10 pm) hours and the Nighttime (10pm to 7 am) hours to establish the existing ambient noise levels.

Table 4.0 Existing Nighttime Ambient Noise Levels for the Wal-Mart Super Store Fort Myers Florida

Receptor #	Date	Location and Ambient Noise Level Range (dBA) *	Average Noise Level (dBA) *	Comments
R-WMSS-1		WMSS Front of Store		
	5/19/03	54.6 – 56.0	55.3	Normal Nighttime Store Activities
	5/20/03	53.5 – 59.3	56.8	Normal Parking Lot Activities
	5/21/03	58.0 – 59.9	59.0	
		(Nighttime 10 pm to 7 am)		(Ambient Background)
R-WMSS-2		WMSS South Side of Store		
	5/19/03	51.3 – 53.2	52.3	Roof Top AC Units Running
	5/20/03	53.5 – 54.2	53.9	Tire Center Operations/ Loading Bay
	5/21/03	50.3 – 60.6	55.5	
		(Nighttime 10 pm to 7 am)		(Ambient Background)
R-WMSS-3		WMSS Back Side of Store		
	5/19/03	51.5 – 53.4	52.3	Roof Top AC Units Running
	5/20/03	48.4 – 55.0	51.9	Forklift + Trailer Truck Activity
	5/21/03	48.1 – 48.2	48.2	
		(Nighttime 10 pm to 7 am)		(Ambient Background)
R-WMSS-4		WMSS North Side of Store		
	5/19/03	58.4 – 59.5	58.8	Roof Top AC Units Running
	5/20/03	51.9 – 53.8	52.7	Trailer Truck Loading / Forklift
	5/21/03	50.0 – 52.2	51.1	
		(Nighttime 10 pm to 7 am)		(Ambient Background)

* Defined as the LAeq Noise Descriptor which is defined as the Level (A- weighted) equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period

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Noise Analysis Conclusions (Proposed Wal-Mart Super Store Estero)

The results of this analysis indicate that the existing ambient noise levels associated with the Koreshan Site (Vacant Land) where the proposed Wal-Mart Super Store will be constructed meets the daytime (7am to 10 pm) noise level limit set forth in the Lee County Noise Ordinance (Chapter 24 Noise Control) at all four of the monitoring locations under analysis. During the daytime hours the maximum permissible noise level limit is 66 dBA when measured at or within the property line of the receiving land use. During the nighttime (10 pm to 7am) hours, the existing ambient noise levels associated with the Koreshan Site (Vacant Land) where the proposed Wal-Mart Super Store will be constructed meets the noise level limit set forth in the Lee County Noise Ordinance (Chapter 24 Noise Control) at two of the four noise monitoring locations under analysis. The two remaining noise monitoring locations (R-ESTERO-1 and R-ESTERO-4) currently exceed the maximum permissible noise level during the nighttime time hours due to both the close proximity of Highway US-41 (R-ESTERO-1) and the natural ambient noise associated with crickets (R-ESTERO-4). During the nighttime hours, the maximum permissible noise level limit is 55 dBA when measured at or within the property line of the receiving land use. It is important to note that Receptor R-ESTERO-1 is located approximately 100 feet from Highway US-41 and, as such, the existing traffic volumes account for the existing nighttime ambient noise levels at this location. Further, Receptor R-ESTERO-4 is located at the existing residential property line of the Vines Residential Community and the existing nighttime ambient noise level at this location is influenced by crickets and other natural nighttime noises.

For the purposes of this analysis, a total of four noise monitoring locations were selected within the boundary of the Koreshan Site (Vacant Land) where the proposed Wal-Mart Super Store will be constructed. The first noise monitoring location (R-ESTERO-1) is located at a distance of 100 feet from the edge of pavement from Highway US-41 and adjacent to the proposed Wal-Mart facility. At this location the existing average ambient noise levels ranged from 63.0 dBA to 64.4 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise levels ranged from 57.4 dBA to 59.2 dBA. At this location the existing ambient noise level was influenced by the local traffic volumes and traffic patterns along Highway US-41. The second noise monitoring location (R-ESTERO-2) is located at a distance of 200 feet from the edge of pavement from Highway US-41 and adjacent to the proposed Wal-Mart facility. At this location the existing average ambient noise levels ranged from 56.1 dBA to 57.3 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise levels ranged from 51.5 dBA to 53.0 dBA. At this location the existing ambient noise level was influenced by the local traffic volumes and traffic patterns along Highway US-41. The third noise monitoring location (R-ESTERO-3) is located at a distance of 300 feet from the edge of pavement from Highway US-41 and adjacent to the proposed Wal-Mart facility. At this location the existing average ambient noise levels ranged from 52.6 dBA to 54.8 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise levels ranged from 51.1 dBA to 51.4 dBA. At this location the existing ambient noise level was influenced by the local traffic volumes and traffic patterns along Highway US-41. The fourth noise monitoring location (R-ESTERO-4) is located at a distance of 450 feet from the edge of pavement from Highway US-41 and adjacent to the proposed Wal-Mart facility. At this location the existing average ambient noise levels ranged from 47.4 dBA to 49.9 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise levels ranged from 56.7 dBA to 58.2 dBA. At this location the existing ambient noise level was influenced by local traffic volumes from the Vines Residential Community during the daytime hours and from crickets and other natural nighttime noises during the nighttime hours.

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Noise Analysis Conclusions (Existing Wal-Mart Super Store Fort Myers)

The results of this phase of the analysis indicates that the existing ambient noise levels associated with the Wal-Mart Super Store located in Fort Myers meets the daytime (7am to 10 pm) noise level limit set forth in the Lee County Noise Ordinance (Chapter 24 Noise Control) at all four noise monitoring locations under analysis with the exception of two single measurement periods associated with Receptors R-WMSS-1 and WMSS-3. It is important to note that the magnitude of the noise level increase is minimal at both of these locations. Further, based upon the proposed distance relationships to the existing and future planned residential communities, the anticipated noise levels associated with the proposed Wal-Mart Super Store should not only meet the criterion set forth in the Lee County Noise Ordinance but will not adversely impact the adjacent residential communities. Further, the existing daytime ambient noise levels associated with the comparative site Wal-Mart Super Store located in Fort Myers will most likely be at or similar to the existing ambient noise levels associated with the proposed Wal-Mart Super Store to be located in Estero. During the daytime hours the maximum permissible noise level limit is 66 dBA when measured at or within real property line of the receiving land use. During the nighttime (10 pm to 7am) hours, the existing ambient noise levels associated with the Wal-Mart Super Store located in Fort Myers meets the noise level limit set forth in the Lee County Noise Ordinance (Chapter 24 Noise Control) at all four noise monitoring locations under analysis with the exception of four single measurement periods associated with Receptors R-WMSS-1, R-WMSS-2 and WMSS-4. It is important to note that the magnitude of the noise level increase is minimal at these locations. Further, based upon the proposed distance relationships to the existing and future planned residential communities, the anticipated noise levels associated with the proposed Wal-Mart Super Store should not only meet the criterion set forth in the Lee County Noise Ordinance but will not adversely impact the adjacent residential communities. Further, the existing nighttime ambient noise levels associated with the comparative site Wal-Mart Super Store located in Fort Myers will most likely be at or similar to the existing ambient noise levels associated with the proposed Wal-Mart Super Store to be located in Estero. During the nighttime hours, the maximum permissible noise level limit is 55 dBA when measured at or within the property line for the receiving land use. It is important to note that the anticipated distance relationships for the proposed Wal-Mart Super Store to be located in Estero will be approximately 240 feet to 320 feet to the closest adjacent residential property line. Based upon these distance relationships, the comparative site noise analysis conducted at the Wal-Mart Super Store in Fort Myers demonstrates that at the above distances, the resultant noise levels from the proposed Wal-Mart Super Store will be similar to the character of the existing ambient noise levels at the proposed Wal-Mart Super Store to be located in Estero. Further, the projected resultant noise levels should meet the criterion set forth in the Lee County Noise Ordinance.

Noise Analysis Conclusions (Existing Wal-Mart Super Store Fort Myers)

For the purposes of this analysis, a total of four noise monitoring locations were selected within the boundary of the Wal-Mart Super Store located in Fort Myers. The first noise monitoring location (R-WMSS-1) is located at the front of the Wal-Mart Super Store. At this location the existing average ambient noise levels ranged from 60.6 dBA to 67.5 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise level ranged from 55.3 dBA to 59.0 dBA. At this location the existing ambient noise level was influenced by the normal store activities and the associated parking lot activities. The second noise monitoring location (R-WMSS-2) is located at the south side of the Wal-Mart Super Store adjacent to the loading bays, the compactor area, and the Tire Center. At this location the existing average ambient noise levels ranged from 57.8 dBA to 64.8 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise level ranged from 52.3 dBA to 55.5 dBA. At this location the existing ambient noise level was influenced by the roof top air conditioning units, loading bay operations and Tire Center operations.

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Noise Analysis Conclusions (Existing Wal-Mart Super Store Fort Myers) (Continued)

The third noise monitoring location (R-WMSS-3) is located along the back side of the Wal-Mart Super Store. At this location the existing average ambient noise levels ranged from 54.7 dBA to 67.9 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise level ranged from 48.2 dBA to 52.3 dBA. At this location the existing ambient noise level was influenced by the roof top air conditioning units, truck traffic, and forklift operations which lasted for approximately thirty minutes. The fourth noise monitoring location (R-WMSS-4) is located along the north side of the Wal-Mart Super Store adjacent to both the loading bays and the compactor area. At this location the existing average ambient noise levels ranged from 49.6 dBA to 62.3 dBA over a two day period during the daytime (7am to 10 pm) hours. Similarly during the nighttime hours (10 pm to 7am), the existing average ambient noise level ranged from 51.1 dBA to 58.8 dBA. At this location the existing ambient noise level was influenced by the roof top air conditioning units, trailer truck loading, and fork lift operations.

The results of this analysis has demonstrated that the average existing ambient field noise level over a two to three day monitoring period during the daytime (7am to 10 pm) hours is approximately 49.1 dBA when measured at the closest residential property line (The Vines Residential Community) adjacent to the proposed Wal-Mart Super Store. During the daytime hours the maximum permissible noise level limit is 66 dBA when measured at or within real property line of the receiving land use. Similarly, at the front of the comparative site Wal-Mart Super Store at a distance 67 feet, the average existing ambient field noise level over a two to three day monitoring period during the daytime (7am to 10 pm) hours is approximately 62.8 dBA. Along the south side of the comparative site Wal-Mart Super Store at a distance 82 feet from the loading bay and 46 feet from the tire center, the average existing ambient field noise level over a two to three day monitoring period during the daytime (7am to 10 pm) hours is approximately 61.7 dBA. Along the back side of the of the comparative site Wal-Mart Super Store at a distance 36 feet, the average existing ambient field noise level over a two to three day monitoring period during the daytime (7am to 10 pm) hours is approximately 61.3 dBA. Along the north side of the comparative site Wal-Mart Super Store at a distance 180 feet, the average existing ambient field noise level over a two to three day monitoring period during the daytime (7am to 10 pm) hours is approximately 54.8 dBA. The average resultant field noise levels associated with the proposed Wal-Mart Super Store are not only below the criterion set forth in the Lee County Noise Ordinance but based upon the distance relationships to both the existing and future proposed residential communities (approximately 250 feet to 310 from the Vines Community and 240 feet to 320 feet from the future multi-family development) there will be no noticeable adverse impact the adjacent residential communities.

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Noise Analysis Conclusions (Existing Wal-Mart Super Store Fort Myers) (Continued)

The results of this analysis has demonstrated that the average existing ambient field noise level over a two to three day monitoring period during the nighttime (10 pm to 7 am) hours is approximately 57.7 dBA when measured at the closest residential property line (The Vines Residential Community) adjacent to the proposed Wal-Mart Super Store. During the nighttime hours the maximum permissible noise level limit is 55 dBA when measured at or within real property line of the receiving land use. Similarly, at the front of the comparative site Wal-Mart Super Store at a distance 67 feet, the average existing ambient field noise level over a two to three day monitoring period during the nighttime (10 pm to 7 am) hours is approximately 57.0 dBA. Along the south side of the comparative site Wal-Mart Super Store at a distance 82 feet from the loading bay and 46 feet from the tire center, the average existing ambient field noise level over a two to three day monitoring period during the nighttime (10 pm to 7 am) hours is approximately 53.9 dBA. Along the back side of the of the comparative site Wal-Mart Super Store at a distance 36 feet, the average existing ambient field noise level over a two to three day monitoring period during the nighttime (10 pm to 7 am) hours is approximately 50.8 dBA. Along the north side of the comparative site Wal-Mart Super Store at a distance 180 feet, the average existing ambient field noise level over a two to three day monitoring period during the nighttime (10 pm to 7 am) hours is approximately 54.2 dBA. The average resultant field noise levels associated with the proposed Wal-Mart Super Store (with the exception of the front of the store which faces US Highway 41) are not only below the criterion set forth in the Lee County Noise Ordinance but based upon the distance relationships to both the existing and future proposed residential communities (approximately 250 feet to 310 from the Vines Community and 240 feet to 320 feet from the future multi-family development) there will be no noticeable adverse impact the adjacent residential communities. The existing nighttime (10 pm to 7 am) ambient field noise levels at the Vines Residential Property Line currently exceed the criterion set forth in the Lee County Noise Ordinance and currently exceeds the comparative site field noise levels associated with the proposed Wal-Mart Super Store.

Based upon the results of this analysis, it appears that the proposed Wal-Mart Super Store to be located in Estero, Florida will most likely meet the criterion set forth in the Lee County Noise Ordinance. Further, the results of this analysis indicates that based upon the proposed distance relationships to the closest existing and future planned residential communities, the anticipated noise levels from the proposed Wal-Mart Super Store will be similar to the character of the existing ambient noise levels at the proposed Koreshan Site located in Estero, Florida and, as such, no adverse noise impacts are anticipated with the proposed Wal-Mart Super Store.

It has been a pleasure serving you on this project. Please feel free to contact our office should you have any questions.

Sincerely,

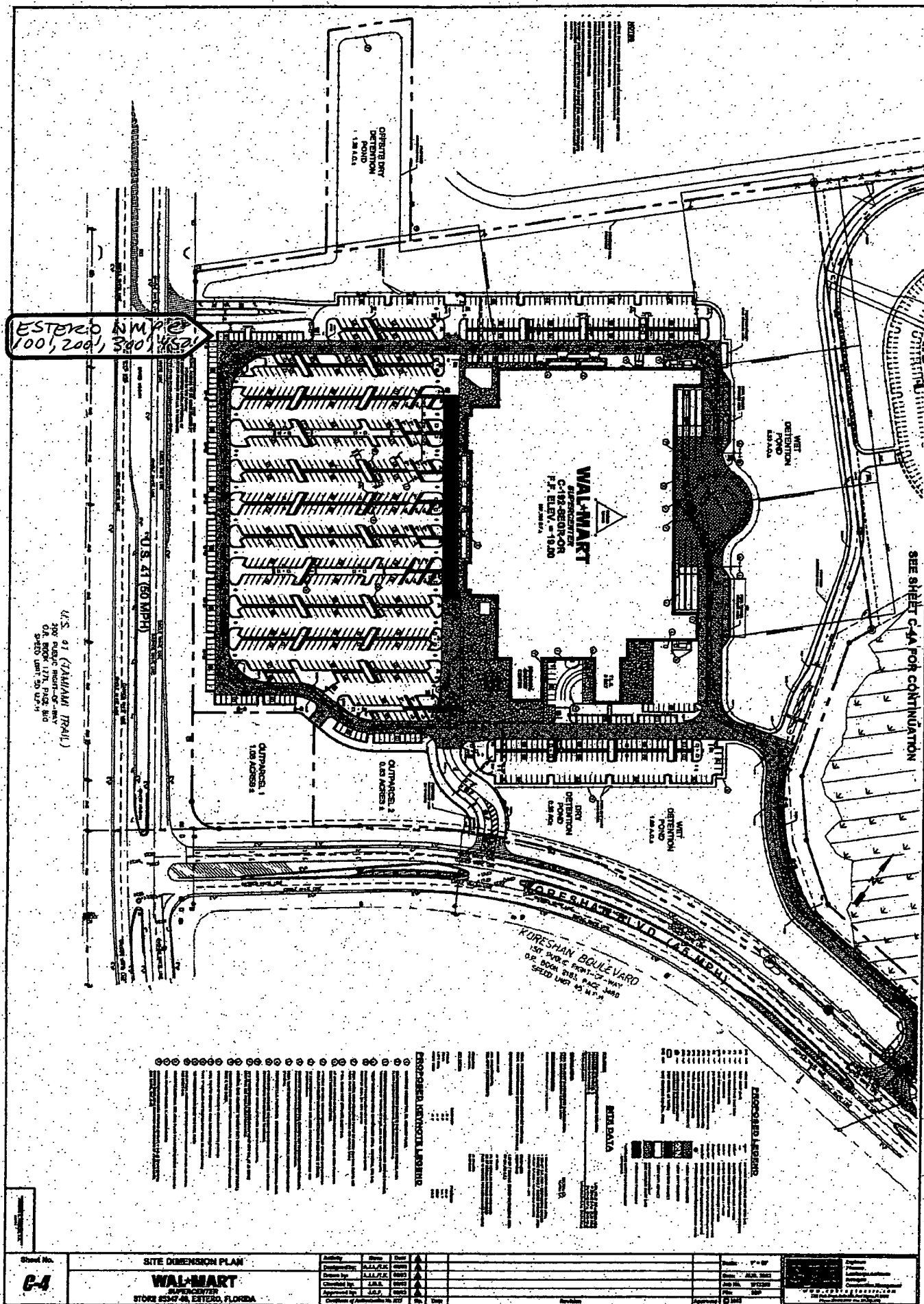
Bernard Kinney & Associates



Bernard Kinney Jr., INCE

APPENDIX

**Proposed Wal-Mart Super Center
Site Plan**



Noise Monitoring Data Sheets
Proposed Wal-Mart Koreshan Site Estero, Florida

Noise Monitoring Data Sheets
Existing Wal-Mart Super Store Site Fort Myers, Florida

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CDA120044

Work Area: Wal-Mart Estero Site / Existing Wal-Mart

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 100 Feet From US 41. @ Existing Wal-Mart Super
Store Fort Myers Facility Perimeter

Meter Calibration: 114.1dB, 5/19/03 @ 5:24:45 PM

Calibrator Serial Number:

Calibration Date:

Study 1

DL 1-6 → 57.7-60.4 (59.2 dBA) NT 100' FROM US-41
Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:04:46 PM
Study Stopped: 5/19/03 @ 10:15:10 PM
Run Time: 0:10:24

Peak Level: 80.9dB, 5/19/03 @ 10:14:52 PM
Max Level: 68.1dB, 5/19/03 @ 10:14:53 PM
Min Level: 40.8dB, 5/19/03 @ 10:12:15 PM
Overload: 0.00%

LEQ: 59.1dB
LDN: 69.1dB
L1: 67.1dB

SEL(3): 87.1dB
CNEL: 69.1dB
L10: 64.2dB

TWA: 42.5dB
Pa2Sec: 0.2
L50: 53.9dB

TAKM3: 61.0dB
L90: 43.9dB

EXISTING WALMART SUPERSTORE

FRONT SIDE (NT)

DL 7-9 54.6-56.0 (55.3 dBA) NT

SOUTH SIDE (NT)

DL 10-12 51.3-53.2 (52.3 dBA) NT

BACKSIDE (NT)

DL 13-15 51.5-53.4 (52.3 dBA) NT

NORTHSIDE (NT)

DL 16-18 58.4-59.5 (58.8 dBA) NT

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:15:13 PM
Study Stopped: 5/19/03 @ 10:25:30 PM
Run Time: 0:10:17
Peak Level: 82.0dB, 5/19/03 @ 10:18:18 PM
Max Level: 68.7dB, 5/19/03 @ 10:18:11 PM
Min Level: 42.7dB, 5/19/03 @ 10:20:41 PM
Overload: 0.00%

LEQ: 59.8dB
LDN: 69.8dB
L1: 67.4dB

SEL(3):87.7dB
CNEL: 69.8dB
L10: 64.4dB

TWA: 43.1dB
Pa2Sec: 0.2
L50: 55.8dB

TAKM3: 61.6dB
L90: 45.8dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:25:36 PM
Study Stopped: 5/19/03 @ 10:38:15 PM
Run Time: 0:12:39
Peak Level: 85.7dB, 5/19/03 @ 10:35:48 PM
Max Level: 74.6dB, 5/19/03 @ 10:35:48 PM
Min Level: 41.9dB, 5/19/03 @ 10:25:47 PM
Overload: 0.00%

LEQ: 60.4dB
LDN: 70.4dB
L1: 69.6dB

SEL(3):89.2dB
CNEL: 70.4dB
L10: 64.6dB

TWA: 44.6dB
Pa2Sec: 0.3
L50: 55.6dB

TAKM3: 62.4dB
L90: 45.7dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:38:17 PM

Study Stopped: 5/19/03 @ 10:48:35 PM

Run Time: 0:10:18

Peak Level: 84.5dB, 5/19/03 @ 10:38:31 PM

Max Level: 70.3dB, 5/19/03 @ 10:38:31 PM

Min Level: 41.5dB, 5/19/03 @ 10:46:33 PM

Overload: 0.00%

LEQ: 59.6dB

LDN: 69.6dB

L1: 68.7dB

SEL(3):87.5dB

CNEL: 69.6dB

L10: 64.5dB

TWA: 43.0dB

Pa2Sec: 0.2

L50: 54.4dB

TAKM3: 61.4dB

L90: 44.5dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:48:39 PM
Study Stopped: 5/19/03 @ 10:58:59 PM
Run Time: 0:10:19
Peak Level: 81.8dB, 5/19/03 @ 10:58:17 PM
Max Level: 68.7dB, 5/19/03 @ 10:58:16 PM
Min Level: 41.4dB, 5/19/03 @ 10:51:00 PM
Overload: 0.00%

LEQ: 58.5dB
LDN: 68.5dB
L1: 67.3dB

SEL(3):86.4dB
CNEL: 68.5dB
L10: 63.3dB

TWA: 41.8dB
Pa2Sec: 0.2
L50: 53.2dB

TAKM3: 60.4dB
L90: 45.3dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:59:04 PM
Study Stopped: 5/19/03 @ 11:09:23 PM
Run Time: 0:10:19
Peak Level: 82.1dB, 5/19/03 @ 10:59:46 PM
Max Level: 69.0dB, 5/19/03 @ 10:59:48 PM
Min Level: 40.9dB, 5/19/03 @ 11:04:51 PM
Overload: 0.00%

LEQ: 57.7dB
LDN: 67.7dB
L1: 67.2dB

SEL(3):85.6dB
CNEL: 67.7dB
L10: 62.7dB

TWA: 41.0dB
Pa2Sec: 0.1
L50: 52.3dB

TAKM3: 59.7dB
L90: 42.3dB

Study 7

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 11:34:56 PM
Study Stopped: 5/19/03 @ 11:45:16 PM
Run Time: 0:10:19

Peak Level: 83.7dB, 5/19/03 @ 11:38:44 PM
Max Level: 63.6dB, 5/19/03 @ 11:41:51 PM
Min Level: 48.5dB, 5/19/03 @ 11:43:39 PM
Overload: 0.00%

LEQ: 55.4dB
LDN: 65.4dB
L1: 62.3dB

SEL(3):83.3dB
CNEL: 65.4dB
L10: 58.1dB

TWA: 38.7dB
Pa2Sec: 0.1
L50: 54.0dB

TAKM3: 56.5dB
L90: 51.0dB

Study 8

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 11:45:19 PM
Study Stopped: 5/19/03 @ 11:55:57 PM
Run Time: 0:10:38
Peak Level: 92.0dB, 5/19/03 @ 11:48:41 PM
Max Level: 64.3dB, 5/19/03 @ 11:54:54 PM
Min Level: 48.9dB, 5/19/03 @ 11:50:53 PM
Overload: 0.00%

LEQ: 54.6dB
LDN: 64.6dB
L1: 61.3dB

SEL(3):82.6dB
CNEL: 64.6dB
L10: 57.6dB

TWA: 38.0dB
Pa2Sec: 0.1
L50: 52.9dB

TAKM3: 55.9dB
L90: 50.5dB

Study 9

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 11:55:59 PM
Study Stopped: 5/20/03 @ 12:06:17 AM
Run Time: 0:10:17
Peak Level: 92.0dB, 5/20/03 @ 12:02:46 AM
Max Level: 70.5dB, 5/20/03 @ 12:02:46 AM
Min Level: 48.5dB, 5/20/03 @ 12:04:22 AM
Overload: 0.02%

LEQ: 56.0dB
LDN: 66.0dB
L1: 65.0dB

SEL(3):83.9dB
CNEL: 66.0dB
L10: 59.0dB

TWA: 39.3dB
Pa2Sec: 0.1
L50: 53.3dB

TAKM3: 58.0dB
L90: 50.6dB

Study 10

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:09:48 AM
Study Stopped: 5/20/03 @ 12:20:07 AM
Run Time: 0:10:19
Peak Level: 79.6dB, 5/20/03 @ 12:14:54 AM
Max Level: 56.8dB, 5/20/03 @ 12:16:19 AM
Min Level: 48.8dB, 5/20/03 @ 12:16:38 AM
Overload: 0.00%

LEQ: 51.3dB
LDN: 61.3dB
L1: 55.8dB

SEL(3):79.3dB
CNEL: 61.3dB
L10: 53.3dB

TWA: 34.7dB
Pa2Sec: 0.0
L50: 50.6dB

TAKM3: 52.1dB
L90: 49.5dB

Study 11

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:20:11 AM
Study Stopped: 5/20/03 @ 12:31:03 AM
Run Time: 0:10:52
Peak Level: 80.3dB, 5/20/03 @ 12:29:03 AM
Max Level: 62.1dB, 5/20/03 @ 12:30:23 AM
Min Level: 48.8dB, 5/20/03 @ 12:21:58 AM
Overload: 0.00%

LEQ: 52.5dB
LDN: 62.5dB
L1: 59.3dB

SEL(3):80.6dB
CNEL: 62.5dB
L10: 54.7dB

TWA: 36.0dB
Pa2Sec: 0.0
L50: 51.1dB

TAKM3: 53.4dB
L90: 49.4dB

Study 12

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:31:05 AM
Study Stopped: 5/20/03 @ 12:41:23 AM
Run Time: 0:10:17
Peak Level: 87.1dB, 5/20/03 @ 12:33:08 AM
Max Level: 64.5dB, 5/20/03 @ 12:34:57 AM
Min Level: 48.4dB, 5/20/03 @ 12:40:51 AM
Overload: 0.00%

LEQ: 53.2dB
LDN: 63.2dB
L1: 61.5dB

SEL(3):81.1dB
CNEL: 63.2dB
L10: 55.6dB

TWA: 36.5dB
Pa2Sec: 0.1
L50: 50.9dB

TAKM3: 54.1dB
L90: 49.5dB

Study 13

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:43:45 AM
Study Stopped: 5/20/03 @ 12:54:04 AM
Run Time: 0:10:18
Peak Level: 80.3dB, 5/20/03 @ 12:53:07 AM
Max Level: 57.7dB, 5/20/03 @ 12:50:59 AM
Min Level: 51.4dB, 5/20/03 @ 12:51:56 AM
Overload: 0.03%

LEQ: 53.4dB
LDN: 63.4dB
L1: 56.4dB

SEL(3):81.4dB
CNEL: 63.4dB
L10: 54.4dB

TWA: 36.8dB
Pa2Sec: 0.1
L50: 53.6dB

TAKM3: 53.9dB
L90: 51.9dB

Study 14

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:54:12 AM
Study Stopped: 5/20/03 @ 1:04:29 AM
Run Time: 0:10:17

Peak Level: 82.9dB, 5/20/03 @ 1:03:24 AM
Max Level: 59.6dB, 5/20/03 @ 1:03:23 AM
Min Level: 50.8dB, 5/20/03 @ 1:02:10 AM
Overload: 0.01%

LEQ: 51.9dB
LDN: 61.9dB
L1: 54.1dB

SEL(3):79.8dB
CNEL: 61.9dB
L10: 52.4dB

TWA: 35.2dB
Pa2Sec: 0.0
L50: 51.7dB

TAKM3: 52.5dB
L90: 51.4dB

Study 15

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:04:36 AM
Study Stopped: 5/20/03 @ 1:14:53 AM
Run Time: 0:10:16

Peak Level: 86.1dB, 5/20/03 @ 1:04:50 AM
Max Level: 56.0dB, 5/20/03 @ 1:04:49 AM
Min Level: 50.6dB, 5/20/03 @ 1:10:43 AM
Overload: 0.00%

LEQ: 51.5dB
LDN: 61.4dB
L1: 52.5dB

SEL(3): 79.4dB
CNEL: 61.4dB
L10: 51.8dB

TWA: 34.8dB
Pa2Sec: 0.0
L50: 51.4dB

TAKM3: 51.8dB
L90: 51.1dB

Study 16

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:17:41 AM
Study Stopped: 5/20/03 @ 1:27:45 AM
Run Time: 0:10:03
Peak Level: 85.0dB, 5/20/03 @ 1:25:15 AM
Max Level: 65.1dB, 5/20/03 @ 1:25:10 AM
Min Level: 50.7dB, 5/20/03 @ 1:27:40 AM
Overload: 0.00%

LEQ: 58.4dB
LDN: 68.4dB
L1: 63.7dB

SEL(3):86.2dB
CNEL: 68.4dB
L10: 60.1dB

TWA: 41.6dB
Pa2Sec: 0.2
L50: 58.3dB

TAKM3: 59.7dB
L90: 54.5dB

Study 17

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:27:48 AM
Study Stopped: 5/20/03 @ 1:38:07 AM
Run Time: 0:10:18
Peak Level: 85.7dB, 5/20/03 @ 1:29:51 AM
Max Level: 65.6dB, 5/20/03 @ 1:29:17 AM
Min Level: 51.3dB, 5/20/03 @ 1:29:00 AM
Overload: 0.00%

LEQ: 59.5dB
LDN: 69.5dB
L1: 64.4dB

SEL(3):87.4dB
CNEL: 69.5dB
L10: 61.7dB

TWA: 42.8dB
Pa2Sec: 0.2
L50: 59.1dB

TAKM3: 60.7dB
L90: 55.9dB

Study 18

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:38:13 AM
Study Stopped: 5/20/03 @ 1:48:19 AM
Run Time: 0:10:05

Peak Level: 83.0dB, 5/20/03 @ 1:41:21 AM
Max Level: 63.5dB, 5/20/03 @ 1:42:39 AM
Min Level: 49.4dB, 5/20/03 @ 1:47:42 AM
Overload: 0.00%

LEQ: 58.4dB
LDN: 68.4dB
L1: 62.3dB

SEL(3):86.3dB
CNEL: 68.4dB
L10: 60.8dB

TWA: 41.7dB
Pa2Sec: 0.2
L50: 58.4dB

TAKM3: 59.7dB
L90: 53.8dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD120045

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreschan
Site) at 200 Feet From US 41

Meter Calibration: 114.0dB, 5/19/03 @ 5:26:19 PM

Calibrator Serial Number:

Calibration Date:

Study 1
DL 1-6 → 51.9-54.2 (53.0 dBA) NT @ 200' From US 41
Measuring Parameters.

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:05:04 PM
Study Stopped: 5/19/03 @ 10:15:41 PM
Run Time: 0:10:36
Peak Level: 72.4dB, 5/19/03 @ 10:14:33 PM
Max Level: 60.3dB, 5/19/03 @ 10:14:32 PM
Min Level: 41.9dB, 5/19/03 @ 10:11:51 PM
Overload: 0.00%

LEQ: 52.7dB
LDN: 62.7dB
L1: 59.2dB

SEL(3): 80.7dB
CNEL: 62.7dB
L10: 56.9dB

TWA: 36.2dB
Pa2Sec: 0.0
L50: 49.9dB

TAKM3: 53.9dB
L90: 43.5dB

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:16:03 PM
Study Stopped: 5/19/03 @ 10:26:20 PM
Run Time: 0:10:17
Peak Level: 76.2dB, 5/19/03 @ 10:26:04 PM
Max Level: 65.8dB, 5/19/03 @ 10:26:04 PM
Min Level: 41.4dB, 5/19/03 @ 10:25:39 PM
Overload: 0.00%

LEQ: 54.2dB
LDN: 64.2dB
L1: 61.6dB

SEL(3):82.1dB
CNEL: 64.2dB
L10: 57.6dB

TWA: 37.5dB
Pa2Sec: 0.1
L50: 51.5dB

TAKM3: 55.3dB
L90: 43.9dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:26:25 PM
Study Stopped: 5/19/03 @ 10:38:29 PM
Run Time: 0:12:03
Peak Level: 76.4dB, 5/19/03 @ 10:26:35 PM
Max Level: 67.4dB, 5/19/03 @ 10:35:26 PM
Min Level: 42.2dB, 5/19/03 @ 10:37:09 PM
Overload: 0.00%

LEQ: 54.2dB
LDN: 64.2dB
L1: 62.2dB

SEL(3):82.8dB
CNEL: 64.2dB
L10: 57.6dB

TWA: 38.2dB
Pa2Sec: 0.1
L50: 51.4dB

TAKM3: 55.5dB
L90: 46.0dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:38:31 PM
Study Stopped: 5/19/03 @ 10:49:33 PM
Run Time: 0:11:02
Peak Level: 74.0dB, 5/19/03 @ 10:44:25 PM
Max Level: 62.3dB, 5/19/03 @ 10:44:25 PM
Min Level: 42.0dB, 5/19/03 @ 10:46:56 PM
Overload: 0.00%

LEQ: 52.6dB
LDN: 62.6dB
L1: 60.9dB

SEL(3):80.8dB
CNEL: 62.6dB
L10: 56.1dB

TWA: 36.2dB
Pa2Sec: 0.0
L50: 50.3dB

TAKM3: 53.8dB
L90: 43.7dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:49:35 PM
Study Stopped: 5/19/03 @ 10:59:53 PM
Run Time: 0:10:17

Peak Level: 74.6dB, 5/19/03 @ 10:59:26 PM
Max Level: 60.8dB, 5/19/03 @ 10:52:46 PM
Min Level: 41.9dB, 5/19/03 @ 10:50:35 PM
Overload: 0.00%

LEQ: 52.5dB
LDN: 62.5dB
L1: 60.0dB

SEL(3):80.4dB
CNEL: 62.5dB
L10: 56.6dB

TWA: 35.8dB
Pa2Sec: 0.0
L50: 49.6dB

TAKM3: 53.8dB
L90: 44.6dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:59:56 PM
Study Stopped: 5/19/03 @ 11:10:14 PM
Run Time: 0:10:18

Peak Level: 75.9dB, 5/19/03 @ 11:03:10 PM
Max Level: 61.5dB, 5/19/03 @ 11:08:59 PM
Min Level: 41.5dB, 5/19/03 @ 11:00:34 PM
Overload: 0.00%

LEQ: 51.9dB
LDN: 61.9dB
L1: 59.5dB

SEL(3):79.8dB
CNEL: 61.9dB
L10: 55.9dB

TWA: 35.2dB
Pa2Sec: 0.0
L50: 49.3dB

TAKM3: 53.2dB
L90: 42.5dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD7120018

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 300 Feet From US 41

Meter Calibration: 114.1dB, 5/19/03 @ 5:28:07 PM

Calibrator Serial Number:

Calibration Date:

*DL1-6 → Study 1
50.7-52.2 (51.4 dBA) NT 300' from US-41*
Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:05:39 PM
Study Stopped: 5/19/03 @ 10:17:07 PM
Run Time: 0:11:28
Peak Level: 81.0dB, 5/19/03 @ 10:05:40 PM
Max Level: 57.1dB, 5/19/03 @ 10:14:34 PM
Min Level: 45.8dB, 5/19/03 @ 10:11:57 PM
Overload: 0.00%

LEQ: 51.5dB
LDN: 61.5dB
L1: 56.4dB

SEL(3): 79.9dB
CNEL: 61.5dB
L10: 54.7dB

TWA: 35.3dB
Pa2Sec: 0.0
L50: 50.1dB

TAKM3: 52.3dB
L90: 47.0dB

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:17:16 PM
Study Stopped: 5/19/03 @ 10:27:33 PM
Run Time: 0:10:17
Peak Level: 73.6dB, 5/19/03 @ 10:26:06 PM
Max Level: 61.9dB, 5/19/03 @ 10:26:06 PM
Min Level: 45.1dB, 5/19/03 @ 10:25:23 PM
Overload: 0.00%

LEQ: 52.0dB
LDN: 62.0dB
L1: 58.6dB

SEL(3):79.9dB
CNEL: 62.0dB
L10: 54.8dB

TWA: 35.3dB
Pa2Sec: 0.0
L50: 50.5dB

TAKM3: 52.8dB
L90: 46.7dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:27:37 PM
Study Stopped: 5/19/03 @ 10:39:08 PM
Run Time: 0:11:30

Peak Level: 73.2dB, 5/19/03 @ 10:35:27 PM
Max Level: 63.2dB, 5/19/03 @ 10:35:27 PM
Min Level: 45.5dB, 5/19/03 @ 10:37:08 PM
Overload: 0.00%

LEQ: 52.2dB
LDN: 62.2dB
L1: 59.1dB

SEL(3):80.6dB
CNEL: 62.2dB
L10: 55.0dB

TWA: 36.0dB
Pa2Sec: 0.0
L50: 50.5dB

TAKM3: 53.1dB
L90: 47.2dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:50:20 PM
Study Stopped: 5/19/03 @ 11:00:39 PM
Run Time: 0:10:18
Peak Level: 71.4dB, 5/19/03 @ 10:58:04 PM
Max Level: 57.4dB, 5/19/03 @ 10:59:29 PM
Min Level: 45.4dB, 5/19/03 @ 10:58:50 PM
Overload: 0.00%

LEQ: 50.8dB
LDN: 60.8dB
L1: 56.7dB

SEL(3): 78.7dB
CNEL: 60.8dB
L10: 54.1dB

TWA: 34.1dB
Pa2Sec: 0.0
L50: 49.4dB

TAKM3: 51.7dB
L90: 46.5dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 11:00:41 PM
Study Stopped: 5/19/03 @ 11:10:59 PM
Run Time: 0:10:18
Peak Level: 88.2dB, 5/19/03 @ 11:10:57 PM
Max Level: 59.4dB, 5/19/03 @ 11:09:00 PM
Min Level: 45.7dB, 5/19/03 @ 11:00:42 PM
Overload: 0.00%

LEQ: 50.7dB
LDN: 60.7dB
L1: 57.0dB

SEL(3):78.6dB
CNEL: 60.7dB
L10: 53.7dB

TWA: 34.1dB
Pa2Sec: 0.0
L50: 49.3dB

TAKM3: 51.6dB
L90: 46.5dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD7120020

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 450 Feet From US 41

Meter Calibration: 114.0dB, 5/19/03 @ 5:29:53 PM

Calibrator Serial Number:

Calibration Date:

Study 1
DL1-6 → 56.0-57.6 (56.7 dBA) NT 450' From US 41
Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:06:38 PM
Study Stopped: 5/19/03 @ 10:18:14 PM
Run Time: 0:11:35
Peak Level: 73.1dB, 5/19/03 @ 10:18:11 PM
Max Level: 58.9dB, 5/19/03 @ 10:18:04 PM
Min Level: 55.9dB, 5/19/03 @ 10:12:33 PM
Overload: 0.00%

EEQ: 57.6dB
LDN: 67.5dB
L1: 58.4dB

SEL(3): 86.0dB
CNEL: 67.5dB
L10: 58.1dB

TWA: 41.4dB
Pa2Sec: 0.2
L50: 57.6dB

TAKM3: 57.9dB
L90: 57.0dB

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:18:33 PM
Study Stopped: 5/19/03 @ 10:28:57 PM
Run Time: 0:10:23
Peak Level: 74.7dB, 5/19/03 @ 10:28:35 PM
Max Level: 58.9dB, 5/19/03 @ 10:20:04 PM
Min Level: 54.8dB, 5/19/03 @ 10:28:16 PM
Overload: 0.00%

LEQ: 57.3dB
LDN: 67.2dB
L1: 58.6dB

SEL(3):85.2dB
CNEL: 67.2dB
L10: 58.2dB

TWA: 40.6dB
Pa2Sec: 0.1
L50: 57.3dB

TAKM3: 57.6dB
L90: 56.0dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:28:59 PM
Study Stopped: 5/19/03 @ 10:40:11 PM
Run Time: 0:11:11

Peak Level: 72.0dB, 5/19/03 @ 10:32:47 PM
Max Level: 58.6dB, 5/19/03 @ 10:29:55 PM
Min Level: 54.0dB, 5/19/03 @ 10:36:07 PM
Overload: 0.00%

LEQ: 56.4dB
LDN: 66.4dB
L1: 58.2dB

SEL(3): 84.7dB
CNEL: 66.4dB
L10: 57.5dB

TWA: 40.1dB
Pa2Sec: 0.1
L50: 56.4dB

TAKM3: 56.8dB
L90: 55.1dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:40:16 PM
Study Stopped: 5/19/03 @ 10:51:19 PM
Run Time: 0:11:03
Peak Level: 71.2dB, 5/19/03 @ 10:47:34 PM
Max Level: 58.0dB, 5/19/03 @ 10:44:51 PM
Min Level: 53.8dB, 5/19/03 @ 10:43:09 PM
Overload: 0.00%

LEQ: 56.0dB
LDN: 66.0dB
L1: 57.5dB

SEL(3):84.2dB
CNEL: 66.0dB
L10: 56.9dB

TWA: 39.6dB
Pa2Sec: 0.1
L50: 56.0dB

TAKM3: 56.4dB
L90: 54.7dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 10:51:23 PM

Study Stopped: 5/19/03 @ 11:01:52 PM

Run Time: 0:10:29

Peak Level: 77.1dB, 5/19/03 @ 11:01:06 PM

Max Level: 57.9dB, 5/19/03 @ 10:56:14 PM

Min Level: 54.7dB, 5/19/03 @ 11:00:25 PM

Overload: 0.00%

LEQ: 56.4dB

LDN: 66.4dB

L1: 57.6dB

SEL(3): 84.4dB

CNEL: 66.4dB

L10: 57.2dB

TWA: 39.8dB

Pa2Sec: 0.1

L50: 56.3dB

TAKM3: 56.8dB

L90: 55.8dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/19/03 @ 11:01:55 PM
Study Stopped: 5/19/03 @ 11:12:14 PM
Run Time: 0:10:19
Peak Level: 83.0dB, 5/19/03 @ 11:12:11 PM
Max Level: 58.9dB, 5/19/03 @ 11:09:04 PM
Min Level: 55.2dB, 5/19/03 @ 11:11:29 PM
Overload: 0.00%

LEQ: 56.6dB
LDN: 66.6dB
L1: 57.8dB

SEL(3):84.5dB
CNEL: 66.6dB
L10: 57.1dB

TWA: 39.9dB
Pa2Sec: 0.1
L50: 56.6dB

TAKM3: 57.0dB
L90: 56.0dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4

Serial Number: CDA120044

Name: CPH Naples / Wal-Mart Estero Site

Work Area: Wal-Mart Estero Site / Existing Wal-Mart

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreschan
Site) at 100 Feet From US 41. @ Existing Wal-Mart Super
Store Fort Myers at Facility Perimeter

Meter Calibration: 114.0dB, 5/20/03 @ 10:01:30 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:15:45 AM

Study Stopped: 5/20/03 @ 10:28:04 AM

Run Time: 0:12:18

Peak Level: 88.8dB, 5/20/03 @ 10:26:45 AM

Max Level: 75.1dB, 5/20/03 @ 10:26:45 AM

Min Level: 45.7dB, 5/20/03 @ 10:15:57 AM

Overload: 0.00%

LEQ: 64.4dB

SEL(3):93.1dB

TWA: 48.5dB

TAKM3: 66.0dB

LDN: 64.4dB

CNEL: 64.4dB

Pa2Sec: 0.8

L1: 72.1dB

L10: 68.2dB

L50: 61.9dB

L90: 53.6dB

100 Ft. From US-41

DL 1-9 DT 62.6-64.9 (63.7dBA) DT AM

DL 22-24 DT 64.2-64.5 (64.4dBA) DT PM

DL 36-41 NT 57.4-60.1 (58.5dBA) NT PM

Study 2

Range: 40 - 100 dB
Threshold: Off

Measuring Parameters
Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:28:05 AM
Study Stopped: 5/20/03 @ 10:43:55 AM
Run Time: 0:15:49
Peak Level: 93.9dB, 5/20/03 @ 10:32:38 AM
Max Level: 75.9dB, 5/20/03 @ 10:32:37 AM
Min Level: 48.7dB, 5/20/03 @ 10:29:37 AM
Overload: 0.00%

LEQ: 64.2dB
LDN: 64.2dB
L1: 72.0dB

SEL(3):94.0dB
CNEL: 64.2dB
L10: 67.5dB

TWA: 49.4dB
Pa2Sec: 1.0
L50: 62.6dB

TAKM3: 65.7dB
L90: 55.0dB

FRONT WM (EXISTING)

DL 10-12 DT (60.6) 59.9-61.4 AM
DL 25-27 DT (61.6) 60.5-62.7 PM
PL 42-44 NT (56.8) 53.5-59.3 PM/AM

SOUTHSIDE WM (EXISTING)

DL 13-15 DT (61.5) 59.1-62.9 AM
DL 28-30 DT (64.8) 62.6-67.1 PM
DL 45-47 NT (53.9) 53.5-54.2 PM/AM

BACKSIDE WM (EXISTING)

DL 16-18 DT (59.9) 51.4-65.3
DL 31-33 DT (67.9) 66.6-68.6
DL 48-50 NT (51.9) 48.4-55.0

NORTHSIDE WM (EXISTING)

DL 19-21 DT (52.8) 52.1-53.4
DL 34-35 DT (62.3) 61.0-63.6
DL 51-53 NT (52.7) 51.9-53.8

Study 3

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:43:57 AM
Study Stopped: 5/20/03 @ 10:54:17 AM
Run Time: 0:10:20
Peak Level: 90.8dB, 5/20/03 @ 10:53:54 AM
Max Level: 76.4dB, 5/20/03 @ 10:53:53 AM
Min Level: 46.0dB, 5/20/03 @ 10:47:32 AM
Overload: 0.00%

LEQ: 64.9dB
LDN: 64.9dB
L1: 73.6dB

SEL(3): 92.8dB
CNEL: 64.9dB
L10: 68.0dB

TWA: 48.2dB
Pa2Sec: 0.8
L50: 63.0dB

TAKM3: 66.5dB
L90: 54.8dB

Study 4

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:54:18 AM
Study Stopped: 5/20/03 @ 11:05:48 AM
Run Time: 0:11:29
Peak Level: 85.7dB, 5/20/03 @ 10:56:43 AM
Max Level: 73.6dB, 5/20/03 @ 10:56:23 AM
Min Level: 44.8dB, 5/20/03 @ 11:01:04 AM
Overload: 0.00%

LEQ: 63.5dB
LDN: 63.5dB
L1: 70.2dB

SEL(3):91.9dB
CNEL: 63.5dB
L10: 66.9dB

TWA: 47.3dB
Pa2Sec: 0.6
L50: 62.2dB

TAKM3: 65.1dB
L90: 54.6dB

Study 5

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:05:50 AM
Study Stopped: 5/20/03 @ 11:17:17 AM
Run Time: 0:11:27
Peak Level: 86.7dB, 5/20/03 @ 11:10:28 AM
Max Level: 73.3dB, 5/20/03 @ 11:10:28 AM
Min Level: 46.5dB, 5/20/03 @ 11:11:33 AM
Overload: 0.00%

LEQ: 62.9dB
LDN: 62.9dB
L1: 70.2dB

SEL(3):91.3dB
CNEL: 62.9dB
L10: 66.6dB

TWA: 46.7dB
Pa2Sec: 0.5
L50: 60.9dB

TAKM3: 64.4dB
L90: 53.7dB

Study 6

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:17:19 AM
Study Stopped: 5/20/03 @ 11:27:42 AM
Run Time: 0:10:22
Peak Level: 87.1dB, 5/20/03 @ 11:20:47 AM
Max Level: 72.2dB, 5/20/03 @ 11:20:46 AM
Min Level: 45.6dB, 5/20/03 @ 11:19:50 AM
Overload: 0.00%

LEQ: 63.7dB
LDN: 63.7dB
L1: 70.5dB

SEL(3):91.6dB
CNEL: 63.7dB
L10: 67.0dB

TWA: 47.0dB
Pa2Sec: 0.6
L50: 62.4dB

TAKM3: 65.2dB
L90: 54.4dB

Study 7

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:27:44 AM
Study Stopped: 5/20/03 @ 11:40:44 AM
Run Time: 0:12:59
Peak Level: 88.3dB, 5/20/03 @ 11:31:55 AM
Max Level: 74.2dB, 5/20/03 @ 11:31:55 AM
Min Level: 46.5dB, 5/20/03 @ 11:31:10 AM
Overload: 0.00%

LEQ: 63.6dB
LDN: 63.6dB
L1: 70.4dB

SEL(3):92.5dB
CNEL: 63.6dB
L10: 67.1dB

TWA: 47.9dB
Pa2Sec: 0.7
L50: 61.7dB

TAKM3: 65.0dB
L90: 54.2dB

Study 8

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:40:45 AM
Study Stopped: 5/20/03 @ 11:50:53 AM
Run Time: 0:10:07
Peak Level: 85.3dB, 5/20/03 @ 11:43:59 AM
Max Level: 71.0dB, 5/20/03 @ 11:45:28 AM
Min Level: 48.4dB, 5/20/03 @ 11:47:26 AM
Overload: 0.00%

LEQ: 62.6dB
LDN: 62.6dB
L1: 68.8dB

SEL(3):90.4dB
CNEL: 62.6dB
L10: 66.2dB

TWA: 45.9dB
Pa2Sec: 0.4
L50: 61.0dB

TAKM3: 64.0dB
L90: 54.7dB

Study 9

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:50:55 AM
Study Stopped: 5/20/03 @ 12:01:20 PM
Run Time: 0:10:25
Peak Level: 91.1dB, 5/20/03 @ 11:55:39 AM
Max Level: 75.3dB, 5/20/03 @ 11:55:39 AM
Min Level: 45.1dB, 5/20/03 @ 11:57:52 AM
Overload: 0.00%

LEQ: 63.7dB
LDN: 63.7dB
L1: 71.1dB

SEL(3):91.7dB
CNEL: 63.7dB
L10: 67.0dB

TWA: 47.1dB
Pa2Sec: 0.6
L50: 62.3dB

TAKM3: 65.5dB
L90: 54.5dB

Study 10

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:32:33 PM
Study Stopped: 5/20/03 @ 12:42:40 PM
Run Time: 0:10:06
Peak Level: 97.8dB, 5/20/03 @ 12:38:38 PM
Max Level: 75.3dB, 5/20/03 @ 12:35:59 PM
Min Level: 53.4dB, 5/20/03 @ 12:33:55 PM
Overload: 0.00%

LEQ: 61.4dB
LDN: 61.4dB
L1: 71.3dB

SEL(3):89.2dB
CNEL: 61.4dB
L10: 63.1dB

TWA: 44.6dB
Pa2Sec: 0.3
L50: 59.7dB

TAKM3: 62.9dB
L90: 56.4dB

Study 11

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:42:44 PM
Study Stopped: 5/20/03 @ 12:52:48 PM
Run Time: 0:10:03
Peak Level: 98.1dB, 5/20/03 @ 12:44:46 PM
Max Level: 71.0dB, 5/20/03 @ 12:51:19 PM
Min Level: 52.7dB, 5/20/03 @ 12:52:47 PM
Overload: 0.00%

LEQ: 60.4dB
LDN: 60.4dB
L1: 68.6dB

SEL(3):88.2dB
CNEL: 60.4dB
L10: 62.4dB

TWA: 43.6dB
Pa2Sec: 0.3
L50: 59.4dB

TAKM3: 61.9dB
L90: 56.0dB

Study 12

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 12:52:54 PM

Study Stopped: 5/20/03 @ 1:02:58 PM

Run Time: 0:10:04

Peak Level: 85.2dB, 5/20/03 @ 1:00:46 PM

Max Level: 71.4dB, 5/20/03 @ 12:59:53 PM

Min Level: 50.6dB, 5/20/03 @ 12:53:00 PM

Overload: 0.00%

LEQ: 59.9dB

LDN: 59.9dB

L1: 66.3dB

SEL(3):87.7dB

CNEL: 59.9dB

L10: 62.7dB

TWA: 43.1dB

Pa2Sec: 0.2

L50: 58.7dB

TAKM3: 61.0dB

L90: 55.1dB

Study 13

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:07:27 PM
Study Stopped: 5/20/03 @ 1:17:31 PM
Run Time: 0:10:04
Peak Level: 88.4dB, 5/20/03 @ 1:08:36 PM
Max Level: 69.7dB, 5/20/03 @ 1:08:35 PM
Min Level: 52.4dB, 5/20/03 @ 1:12:05 PM
Overload: 0.00%

LEQ: 59.1dB
LDN: 59.1dB
L1: 67.1dB

SEL(3):86.9dB
CNEL: 59.1dB
L10: 62.2dB

TWA: 42.3dB
Pa2Sec: 0.2
L50: 57.1dB

TAKM3: 61.1dB
L90: 54.3dB

Study 14

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:17:33 PM
Study Stopped: 5/20/03 @ 1:27:43 PM
Run Time: 0:10:09
Peak Level: 105.3dB, 5/20/03 @ 1:27:26 PM
Max Level: 79.7dB, 5/20/03 @ 1:22:55 PM
Min Level: 54.1dB, 5/20/03 @ 1:19:00 PM
Overload: 0.00%

LEQ: 62.4dB
LDN: 62.4dB
L1: 71.6dB

SEL(3):90.3dB
CNEL: 62.4dB
L10: 65.4dB

TWA: 45.7dB
Pa2Sec: 0.4
L50: 59.0dB

TAKM3: 65.0dB
L90: 56.1dB

Study 15

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:27:44 PM
Study Stopped: 5/20/03 @ 1:37:47 PM
Run Time: 0:10:02
Peak Level: 99.8dB, 5/20/03 @ 1:33:30 PM
Max Level: 82.8dB, 5/20/03 @ 1:33:35 PM
Min Level: 52.1dB, 5/20/03 @ 1:34:17 PM
Overload: 0.00%

LEQ: 62.9dB
LDN: 62.9dB
L1: 76.1dB

SEL(3):90.7dB
CNEL: 62.9dB
L10: 60.3dB

TWA: 46.1dB
Pa2Sec: 0.5
L50: 56.5dB

TAKM3: 65.4dB
L90: 54.0dB

Study 16

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:40:25 PM
Study Stopped: 5/20/03 @ 1:50:46 PM
Run Time: 0:10:21
Peak Level: 114.0dB, 5/20/03 @ 1:45:19 PM
Max Level: 85.6dB, 5/20/03 @ 1:45:18 PM
Min Level: 50.1dB, 5/20/03 @ 1:44:30 PM
Overload: 0.05%

LEQ: 65.3dB
LDN: 65.3dB
L1: 78.0dB

SEL(3):93.2dB
CNEL: 65.3dB
L10: 68.0dB

TWA: 48.7dB
Pa2Sec: 0.8
L50: 53.6dB

TAKM3: 69.0dB
L90: 51.0dB

Study 17

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 1:50:49 PM
Study Stopped: 5/20/03 @ 2:01:02 PM
Run Time: 0:10:12
Peak Level: 75.4dB, 5/20/03 @ 1:50:57 PM
Max Level: 57.1dB, 5/20/03 @ 1:50:50 PM
Min Level: 49.7dB, 5/20/03 @ 1:56:57 PM
Overload: 0.00%

LEQ: 51.4dB
LDN: 51.4dB
L1: 53.3dB

SEL(3):79.2dB
CNEL: 51.4dB
L10: 52.3dB

TWA: 34.6dB
Pa2Sec: 0.0
L50: 51.2dB

TAKM3: 51.8dB
L90: 50.5dB

Study 18

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 2:01:03 PM
Study Stopped: 5/20/03 @ 2:11:19 PM
Run Time: 0:10:15
Peak Level: 99.7dB, 5/20/03 @ 2:08:07 PM
Max Level: 86.6dB, 5/20/03 @ 2:08:06 PM
Min Level: 49.4dB, 5/20/03 @ 2:04:36 PM
Overload: 0.26%

LEQ: 63.0dB
LDN: 63.0dB
L1: 75.1dB

SEL(3):90.9dB
CNEL: 63.0dB
L10: 54.8dB

TWA: 46.3dB
Pa2Sec: 0.5
L50: 50.8dB

TAKM3: 65.9dB
L90: 50.1dB

Study 19

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 2:13:38 PM
Study Stopped: 5/20/03 @ 2:25:10 PM
Run Time: 0:11:31
Peak Level: 80.2dB, 5/20/03 @ 2:19:37 PM
Max Level: 65.8dB, 5/20/03 @ 2:19:37 PM
Min Level: 46.0dB, 5/20/03 @ 2:24:43 PM
Overload: 0.00%

LEQ: 53.4dB
LDN: 53.4dB
L1: 60.8dB

SEL(3):81.8dB
CNEL: 53.4dB
L10: 55.2dB

TWA: 37.2dB
Pa2Sec: 0.1
L50: 52.3dB

TAKM3: 54.4dB
L90: 49.1dB

Study 20

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 2:25:12 PM
Study Stopped: 5/20/03 @ 2:35:14 PM
Run Time: 0:10:02
Peak Level: 81.2dB, 5/20/03 @ 2:28:13 PM
Max Level: 57.5dB, 5/20/03 @ 2:34:19 PM
Min Level: 46.1dB, 5/20/03 @ 2:26:50 PM
Overload: 0.00%

LEQ: 52.1dB
LDN: 52.1dB
L1: 56.1dB

SEL(3):79.9dB
CNEL: 52.1dB
L10: 54.5dB

TWA: 35.3dB
Pa2Sec: 0.0
L50: 51.7dB

TAKM3: 52.7dB
L90: 48.1dB

Study 21

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 2:35:16 PM
Study Stopped: 5/20/03 @ 2:45:19 PM
Run Time: 0:10:02
Peak Level: 88.1dB, 5/20/03 @ 2:42:51 PM
Max Level: 56.6dB, 5/20/03 @ 2:42:50 PM
Min Level: 48.9dB, 5/20/03 @ 2:44:53 PM
Overload: 0.00%

EEQ: 52.8dB
LDN: 52.8dB
L1: 55.6dB

SEL(3):80.6dB
CNEL: 52.8dB
L10: 54.6dB

TWA: 36.0dB
Pa2Sec: 0.0
L50: 52.5dB

TAKM3: 53.3dB
L90: 50.8dB

Study 22

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:22:32 PM
Study Stopped: 5/20/03 @ 4:33:48 PM
Run Time: 0:11:15
Peak Level: 91.2dB, 5/20/03 @ 4:23:54 PM
Max Level: 73.8dB, 5/20/03 @ 4:23:53 PM
Min Level: 45.6dB, 5/20/03 @ 4:29:31 PM
Overload: 0.00%

LEQ: 64.3dB
LDN: 64.3dB
L1: 71.1dB

SEL(3):92.6dB
CNEL: 64.3dB
L10: 67.8dB

TWA: 48.0dB
Pa2Sec: 0.7
L50: 63.0dB

TAKM3: 65.6dB
L90: 52.7dB

Study 23

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:33:53 PM
Study Stopped: 5/20/03 @ 4:43:59 PM

Run Time: 0:10:05

Peak Level: 87.6dB, 5/20/03 @ 4:41:30 PM

Max Level: 73.8dB, 5/20/03 @ 4:41:31 PM

Min Level: 48.0dB, 5/20/03 @ 4:40:18 PM

Overload: 0.00%

LEQ: 64.5dB
LDN: 64.5dB
L1: 71.2dB

SEL(3):92.3dB
CNEL: 64.5dB
L10: 67.5dB

TWA: 47.7dB
Pa2Sec: 0.7
L50: 63.4dB

TAKM3: 65.9dB
L90: 56.7dB

Study 24

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:44:00 PM
Study Stopped: 5/20/03 @ 4:54:18 PM
Run Time: 0:10:17
Peak Level: 87.1dB, 5/20/03 @ 4:44:09 PM
Max Level: 73.5dB, 5/20/03 @ 4:52:01 PM
Min Level: 51.7dB, 5/20/03 @ 4:48:57 PM
Overload: 0.01%

LEQ: 64.2dB
LDN: 64.2dB
L1: 71.4dB

SEL(3):92.2dB
CNEL: 64.2dB
L10: 67.0dB

TWA: 47.6dB
Pa2Sec: 0.7
L50: 63.3dB

TAKM3: 65.6dB
L90: 56.5dB

Study 25

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 5:31:05 PM
Study Stopped: 5/20/03 @ 5:41:23 PM
Run Time: 0:10:17
Peak Level: 96.0dB, 5/20/03 @ 5:40:59 PM
Max Level: 68.8dB, 5/20/03 @ 5:38:01 PM
Min Level: 53.3dB, 5/20/03 @ 5:35:47 PM
Overload: 0.05%

LEQ: 60.5dB
LDN: 60.5dB
L1: 65.2dB

SEL(3):88.4dB
CNEL: 60.5dB
L10: 62.5dB

TWA: 43.8dB
Pa2Sec: 0.3
L50: 59.9dB

TAKM3: 61.5dB
L90: 57.4dB

Study 26

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 5:42:37 PM
Study Stopped: 5/20/03 @ 5:52:54 PM
Run Time: 0:10:17
Peak Level: 89.9dB, 5/20/03 @ 5:48:32 PM
Max Level: 75.8dB, 5/20/03 @ 5:44:28 PM
Min Level: 54.8dB, 5/20/03 @ 5:52:07 PM
Overload: 0.04%

LEQ: 62.7dB
LDN: 62.7dB
L1: 70.4dB

SEL(3):90.6dB
CNEL: 62.7dB
L10: 65.9dB

TWA: 46.0dB
Pa2Sec: 0.5
L50: 60.4dB

TAKM3: 64.2dB
L90: 57.7dB

Study 27

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 5:53:24 PM

Study Stopped: 5/20/03 @ 6:03:27 PM

Run Time: 0:10:03

Peak Level: 91.4dB, 5/20/03 @ 5:54:23 PM

Max Level: 75.3dB, 5/20/03 @ 5:56:03 PM

Min Level: 54.9dB, 5/20/03 @ 5:54:46 PM

Overload: 0.04%

LEQ: 61.6dB

LDN: 61.6dB

L1: 68.3dB

SEL(3):89.4dB

CNEL: 61.6dB

L10: 63.4dB

TWA: 44.8dB

Pa2Sec: 0.3

L50: 60.7dB

TAKM3: 62.8dB

L90: 58.5dB

Study 28

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 6:06:54 PM
Study Stopped: 5/20/03 @ 6:17:12 PM
Run Time: 0:10:17
Peak Level: 103.3dB, 5/20/03 @ 6:16:41 PM
Max Level: 84.8dB, 5/20/03 @ 6:14:45 PM
Min Level: 53.3dB, 5/20/03 @ 6:09:04 PM
Overload: 0.09%

LEQ: 67.1dB
LDN: 67.1dB
L1: 80.3dB

SEL(3):95.0dB
CNEL: 67.1dB
L10: 69.0dB

TWA: 50.4dB
Pa2Sec: 1.2
L50: 61.3dB

TAKM3: 70.0dB
L90: 56.2dB

Study 29

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 6:17:14 PM
Study Stopped: 5/20/03 @ 6:27:21 PM
Run Time: 0:10:06
Peak Level: 98.6dB, 5/20/03 @ 6:21:04 PM
Max Level: 81.4dB, 5/20/03 @ 6:21:05 PM
Min Level: 53.1dB, 5/20/03 @ 6:18:58 PM
Overload: 0.05%

LEQ: 62.6dB
LDN: 62.6dB
L1: 74.3dB

SEL(3):90.5dB
CNEL: 62.6dB
L10: 62.3dB

TWA: 45.9dB
Pa2Sec: 0.4
L50: 57.0dB

TAKM3: 65.4dB
L90: 54.1dB

Study 30

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 6:27:23 PM
Study Stopped: 5/20/03 @ 6:38:19 PM
Run Time: 0:10:55
Peak Level: 101.8dB, 5/20/03 @ 6:27:41 PM
Max Level: 84.6dB, 5/20/03 @ 6:27:41 PM
Min Level: 53.2dB, 5/20/03 @ 6:29:03 PM
Overload: 0.10%

LEQ: 64.8dB
LDN: 64.8dB
L1: 79.1dB

SEL(3):93.0dB
CNEL: 64.8dB
L10: 62.4dB

TWA: 48.4dB
Pa2Sec: 0.8
L50: 58.1dB

TAKM3: 67.8dB
L90: 55.2dB

Study 31

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 6:40:19 PM
Study Stopped: 5/20/03 @ 6:50:22 PM
Run Time: 0:10:03
Peak Level: 96.1dB, 5/20/03 @ 6:45:57 PM
Max Level: 82.8dB, 5/20/03 @ 6:45:56 PM
Min Level: 51.0dB, 5/20/03 @ 6:50:04 PM
Overload: 0.00%

LEQ: 68.6dB
LDN: 68.6dB
L1: 81.5dB

SEL(3):96.4dB
CNEL: 68.6dB
L10: 71.6dB

TWA: 51.9dB
Pa2Sec: 1.8
L50: 58.1dB

TAKM3: 70.1dB
L90: 52.9dB

Study 32

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 6:50:26 PM
Study Stopped: 5/20/03 @ 7:00:37 PM
Run Time: 0:10:11

Peak Level: 99.0dB, 5/20/03 @ 6:56:23 PM
Max Level: 85.5dB, 5/20/03 @ 6:56:22 PM
Min Level: 50.0dB, 5/20/03 @ 6:51:58 PM
Overload: 0.08%

LEQ: 68.6dB
LDN: 68.6dB
L1: 82.7dB

SEL(3):96.4dB
CNEL: 69.1dB
L10: 70.0dB

TWA: 51.9dB
Pa2Sec: 1.8
L50: 52.9dB

TAKM3: 70.6dB
L90: 50.8dB

Study 33

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 7:00:39 PM
Study Stopped: 5/20/03 @ 7:10:42 PM
Run Time: 0:10:02
Peak Level: 95.7dB, 5/20/03 @ 7:01:24 PM
Max Level: 82.7dB, 5/20/03 @ 7:02:58 PM
Min Level: 51.3dB, 5/20/03 @ 7:09:30 PM
Overload: 0.00%

LEQ: 66.6dB
LDN: 66.6dB
L1: 80.6dB

SEL(3):94.4dB
CNEL: 71.6dB
L10: 67.3dB

TWA: 49.8dB
Pa2Sec: 1.1
L50: 54.1dB

TAKM3: 68.0dB
L90: 52.4dB

Study 34

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 7:12:18 PM
Study Stopped: 5/20/03 @ 7:22:36 PM
Run Time: 0:10:17
Peak Level: 89.4dB, 5/20/03 @ 7:12:31 PM
Max Level: 65.8dB, 5/20/03 @ 7:12:30 PM
Min Level: 59.5dB, 5/20/03 @ 7:18:39 PM
Overload: 0.00%

LEQ: 61.0dB
LDN: 61.0dB
L1: 62.6dB

SEL(3):88.9dB
CNEL: 65.9dB
L10: 61.5dB

TWA: 44.3dB
Pa2Sec: 0.3
L50: 60.9dB

TAKM3: 61.3dB
L90: 60.3dB

Study 35

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 7:22:38 PM
Study Stopped: 5/20/03 @ 7:32:43 PM
Run Time: 0:10:04
Peak Level: 95.5dB, 5/20/03 @ 7:32:08 PM
Max Level: 81.3dB, 5/20/03 @ 7:32:08 PM
Min Level: 53.6dB, 5/20/03 @ 7:32:42 PM
Overload: 0.00%

LEQ: 63.6dB
LDN: 63.6dB
L1: 74.4dB

SEL(3):91.4dB
CNEL: 68.5dB
L10: 62.2dB

TWA: 46.8dB
Pa2Sec: 0.5
L50: 60.9dB

TAKM3: 64.9dB
L90: 60.4dB

Study 36

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:05:11 PM
Study Stopped: 5/20/03 @ 10:18:20 PM
Run Time: 0:13:09
Peak Level: 91.9dB, 5/20/03 @ 10:08:37 PM
Max Level: 79.1dB, 5/20/03 @ 10:08:36 PM
Min Level: 41.6dB, 5/20/03 @ 10:12:39 PM
Overload: 0.16%

LEQ: 60.1dB
LDN: 70.1dB
L1: 71.0dB

SEL(3):89.1dB
CNEL: 70.1dB
L10: 63.1dB

TWA: 44.5dB
Pa2Sec: 0.3
L50: 54.0dB

TAKM3: 62.3dB
L90: 46.4dB

Study 37

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:18:42 PM
Study Stopped: 5/20/03 @ 10:29:07 PM
Run Time: 0:10:25
Peak Level: 80.9dB, 5/20/03 @ 10:19:31 PM
Max Level: 68.1dB, 5/20/03 @ 10:19:43 PM
Min Level: 41.5dB, 5/20/03 @ 10:27:52 PM
Overload: 0.00%

LEQ: 58.5dB
LDN: 68.5dB
L1: 66.7dB

SEL(3):86.5dB
CNEL: 68.5dB
L10: 63.7dB

TWA: 41.9dB
Pa2Sec: 0.2
L50: 53.7dB

TAKM3: 60.2dB
L90: 43.3dB

Study 38

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:29:09 PM
Study Stopped: 5/20/03 @ 10:40:54 PM
Run Time: 0:11:45
Peak Level: 82.5dB, 5/20/03 @ 10:39:56 PM
Max Level: 70.3dB, 5/20/03 @ 10:39:56 PM
Min Level: 40.4dB, 5/20/03 @ 10:30:37 PM
Overload: 0.00%

LEQ: 58.8dB
LDN: 68.8dB
L1: 67.8dB

SEL(3):87.2dB
CNEL: 68.8dB
L10: 63.5dB

TWA: 42.7dB
Pa2Sec: 0.2
L50: 52.1dB

TAKM3: 60.7dB
L90: 44.1dB

Study 39

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:41:14 PM
Study Stopped: 5/20/03 @ 10:51:25 PM
Run Time: 0:10:10
Peak Level: 82.1dB, 5/20/03 @ 10:46:17 PM
Max Level: 68.8dB, 5/20/03 @ 10:46:18 PM
Min Level: 41.7dB, 5/20/03 @ 10:42:02 PM
Overload: 0.00%

LEQ: 58.3dB
LDN: 68.3dB
L1: 66.6dB

SEL(3):86.2dB
CNEL: 68.3dB
L10: 63.2dB

TWA: 41.6dB
Pa2Sec: 0.2
L50: 53.4dB

TAKM3: 60.0dB
L90: 44.4dB

Study 40

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:51:27 PM
Study Stopped: 5/20/03 @ 11:01:29 PM
Run Time: 0:10:02
Peak Level: 84.6dB, 5/20/03 @ 10:56:47 PM
Max Level: 70.7dB, 5/20/03 @ 10:56:47 PM
Min Level: 41.5dB, 5/20/03 @ 11:00:51 PM
Overload: 0.00%

LEQ: 57.6dB
LDN: 67.6dB
L1: 68.0dB

SEL(3):85.4dB
CNEL: 67.6dB
L10: 62.4dB

TWA: 40.8dB
Pa2Sec: 0.1
L50: 50.5dB

TAKM3: 59.6dB
L90: 42.9dB

Study 41

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:01:32 PM
Study Stopped: 5/20/03 @ 11:11:35 PM
Run Time: 0:10:02
Peak Level: 85.1dB, 5/20/03 @ 11:09:53 PM
Max Level: 73.9dB, 5/20/03 @ 11:09:52 PM
Min Level: 41.7dB, 5/20/03 @ 11:02:46 PM
Overload: 0.00%

LEQ: 57.4dB
LDN: 67.4dB
L1: 66.9dB

SEL(3):85.2dB
CNEL: 67.4dB
L10: 61.8dB

TWA: 40.6dB
Pa2Sec: 0.1
L50: 50.3dB

TAKM3: 59.7dB
L90: 43.0dB

Study 42

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:38:36 PM
Study Stopped: 5/20/03 @ 11:48:54 PM
Run Time: 0:10:18
Peak Level: 92.3dB, 5/20/03 @ 11:48:31 PM
Max Level: 71.3dB, 5/20/03 @ 11:40:51 PM
Min Level: 47.8dB, 5/20/03 @ 11:47:48 PM
Overload: 0.07%

LEQ: 57.5dB
LDN: 67.5dB
L1: 67.7dB

SEL(3):85.4dB
CNEL: 67.5dB
L10: 60.0dB

TWA: 40.8dB
Pa2Sec: 0.1
L50: 53.7dB

TAKM3: 59.1dB
L90: 49.9dB

Study 43

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:49:06 PM
Study Stopped: 5/21/03 @ 12:00:01 AM
Run Time: 0:10:55
Peak Level: 103.7dB, 5/20/03 @ 11:51:29 PM
Max Level: 80.6dB, 5/20/03 @ 11:51:29 PM
Min Level: 47.8dB, 5/20/03 @ 11:59:37 PM
Overload: 0.43%

LEQ: 59.3dB
LDN: 69.3dB
L1: 69.3dB

SEL(3):87.5dB
CNEL: 69.3dB
L10: 58.8dB

TWA: 42.9dB
Pa2Sec: 0.2
L50: 53.1dB

TAKM3: 61.7dB
L90: 50.3dB

Study 44

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:00:14 AM
Study Stopped: 5/21/03 @ 12:10:35 AM
Run Time: 0:10:20
Peak Level: 84.6dB, 5/21/03 @ 12:06:30 AM
Max Level: 63.8dB, 5/21/03 @ 12:00:15 AM
Min Level: 47.6dB, 5/21/03 @ 12:07:23 AM
Overload: 0.00%

LEQ: 53.5dB
LDN: 63.5dB
L1: 60.4dB

SEL(3):81.5dB
CNEL: 63.5dB
L10: 56.2dB

TWA: 36.9dB
Pa2Sec: 0.1
L50: 52.1dB

TAKM3: 54.5dB
L90: 49.6dB

Study 45

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:14:55 AM
Study Stopped: 5/21/03 @ 12:25:54 AM

Run Time: 0:10:58

Peak Level: 76.9dB, 5/21/03 @ 12:15:20 AM

Max Level: 62.1dB, 5/21/03 @ 12:18:29 AM

Min Level: 51.8dB, 5/21/03 @ 12:23:44 AM

Overload: 0.00%

LEQ: 54.1dB

LDN: 64.1dB

L1: 58.9dB

SEL(3):82.3dB

CNEL: 64.1dB

L10: 55.2dB

TWA: 37.7dB

Pa2Sec: 0.1

L50: 53.6dB

TAKM3: 54.7dB

L90: 52.8dB

Study 46

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:25:56 AM
Study Stopped: 5/21/03 @ 12:36:14 AM
Run Time: 0:10:18
Peak Level: 86.6dB, 5/21/03 @ 12:36:11 AM
Max Level: 63.5dB, 5/21/03 @ 12:27:00 AM
Min Level: 51.9dB, 5/21/03 @ 12:36:14 AM
Overload: 0.00%

LEQ: 54.2dB
LDN: 64.2dB
L1: 58.9dB

SEL(3):82.1dB
CNEL: 64.2dB
L10: 55.4dB

TWA: 37.5dB
Pa2Sec: 0.1
L50: 53.7dB

TAKM3: 55.0dB
L90: 52.9dB

Study 47

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:36:18 AM
Study Stopped: 5/21/03 @ 12:46:32 AM
Run Time: 0:10:13
Peak Level: 80.3dB, 5/21/03 @ 12:46:31 AM
Max Level: 56.7dB, 5/21/03 @ 12:41:55 AM
Min Level: 52.0dB, 5/21/03 @ 12:36:20 AM
Overload: 0.00%

LEQ: 53.5dB
LDN: 63.6dB
L1: 55.3dB

SEL(3):81.4dB
CNEL: 63.6dB
L10: 54.4dB

TWA: 36.8dB
Pa2Sec: 0.1
L50: 53.4dB

TAKM3: 53.9dB
L90: 52.8dB

Study 48

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:49:37 AM
Study Stopped: 5/21/03 @ 1:00:07 AM
Run Time: 0:10:30
Peak Level: 87.5dB, 5/21/03 @ 12:50:50 AM
Max Level: 60.0dB, 5/21/03 @ 12:50:50 AM
Min Level: 48.3dB, 5/21/03 @ 12:58:41 AM
Overload: 0.00%

LEQ: 55.0dB
LDN: 64.9dB
L1: 56.7dB

SEL(3):82.9dB
CNEL: 64.9dB
L10: 56.1dB

TWA: 38.4dB
Pa2Sec: 0.1
L50: 55.7dB

TAKM3: 55.3dB
L90: 52.1dB

Study 49

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:00:09 AM
Study Stopped: 5/21/03 @ 1:10:13 AM
Run Time: 0:10:04
Peak Level: 84.4dB, 5/21/03 @ 1:07:12 AM
Max Level: 64.2dB, 5/21/03 @ 1:07:00 AM
Min Level: 47.3dB, 5/21/03 @ 1:07:51 AM
Overload: 0.00%

LEQ: 52.3dB
LDN: 62.3dB
L1: 61.9dB

SEL(3):80.1dB
CNEL: 62.3dB
L10: 54.1dB

TWA: 35.5dB
Pa2Sec: 0.0
L50: 51.3dB

TAKM3: 53.0dB
L90: 48.1dB

Study 50

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:10:16 AM
Study Stopped: 5/21/03 @ 1:20:18 AM
Run Time: 0:10:02
Peak Level: 78.7dB, 5/21/03 @ 1:18:50 AM
Max Level: 55.6dB, 5/21/03 @ 1:18:49 AM
Min Level: 47.1dB, 5/21/03 @ 1:19:18 AM
Overload: 0.00%

LEQ: 48.4dB
LDN: 58.4dB
L1: 49.8dB

SEL(3):76.2dB
CNEL: 58.4dB
L10: 49.1dB

TWA: 31.6dB
Pa2Sec: 0.0
L50: 48.3dB

TAKM3: 48.8dB
L90: 47.8dB

Study 51

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:22:44 AM
Study Stopped: 5/21/03 @ 1:32:58 AM
Run Time: 0:10:14
Peak Level: 84.4dB, 5/21/03 @ 1:32:30 AM
Max Level: 61.9dB, 5/21/03 @ 1:27:39 AM
Min Level: 47.3dB, 5/21/03 @ 1:30:17 AM
Overload: 0.00%

LEQ: 52.5dB
LDN: 62.5dB
L1: 60.0dB

SEL(3):80.4dB
CNEL: 62.5dB
L10: 53.5dB

TWA: 35.8dB
Pa2Sec: 0.0
L50: 51.2dB

TAKM3: 53.4dB
L90: 49.5dB

Study 52

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:33:00 AM
Study Stopped: 5/21/03 @ 1:43:03 AM
Run Time: 0:10:02
Peak Level: 84.4dB, 5/21/03 @ 1:41:52 AM
Max Level: 61.4dB, 5/21/03 @ 1:35:02 AM
Min Level: 47.1dB, 5/21/03 @ 1:37:41 AM
Overload: 0.00%

LEQ: 51.9dB
LDN: 61.9dB
L1: 58.9dB

SEL(3):79.7dB
CNEL: 61.9dB
L10: 52.9dB

TWA: 35.1dB
Pa2Sec: 0.0
L50: 51.1dB

TAKM3: 52.9dB
L90: 49.1dB

Study 53

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:43:18 AM
Study Stopped: 5/21/03 @ 1:53:21 AM
Run Time: 0:10:02
Peak Level: 84.9dB, 5/21/03 @ 1:52:15 AM
Max Level: 61.8dB, 5/21/03 @ 1:46:53 AM
Min Level: 47.5dB, 5/21/03 @ 1:48:20 AM
Overload: 0.00%

LEQ: 53.8dB
LDN: 63.8dB
L1: 60.4dB

SEL(3):81.6dB
CNEL: 63.8dB
L10: 57.6dB

TWA: 37.0dB
Pa2Sec: 0.1
L50: 51.9dB

TAKM3: 54.9dB
L90: 50.3dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD120045

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreschan
Site) at 200 Feet From US 41

Meter Calibration: 114.0dB, 5/20/03 @ 10:00:29 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:14:54 AM

Study Stopped: 5/20/03 @ 10:27:07 AM

Run Time: 0:12:13

Peak Level: 82.6dB, 5/20/03 @ 10:26:25 AM

Max Level: 67.6dB, 5/20/03 @ 10:26:24 AM

Min Level: 43.0dB, 5/20/03 @ 10:15:36 AM

Overload: 0.00%

LEQ: 57.1dB

SEL(3): 85.8dB

TWA: 41.2dB

TAKM3: 58.2dB

LDN: 57.1dB

CNEL: 57.1dB

Pa2Sec: 0.2

L1: 64.3dB

L10: 60.4dB

L50: 55.2dB

L90: 49.4dB

200 Ft. From US-41

DL 1-9 DT 55.0-57.1 (56.2 dBA) DT AM

DL 10-12 DT 57.1-57.5 (57.3 dBA) DT PM

DL 13-18 NT 51.3-53.7 (52.1 dBA) NT PM

Study 2

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:27:09 AM
Study Stopped: 5/20/03 @ 10:43:03 AM
Run Time: 0:15:53
Peak Level: 84.7dB, 5/20/03 @ 10:32:15 AM
Max Level: 69.0dB, 5/20/03 @ 10:39:54 AM
Min Level: 45.9dB, 5/20/03 @ 10:37:38 AM
Overload: 0.00%

LEQ: 57.0dB
LDN: 57.0dB
L1: 66.0dB

SEL(3):86.8dB
CNEL: 57.0dB
L10: 59.9dB

TWA: 42.2dB
Pa2Sec: 0.2
L50: 55.2dB

TAKM3: 58.1dB
L90: 50.2dB

Study 3

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:43:05 AM
Study Stopped: 5/20/03 @ 10:53:20 AM
Run Time: 0:10:15
Peak Level: 84.9dB, 5/20/03 @ 10:46:41 AM
Max Level: 68.6dB, 5/20/03 @ 10:46:41 AM
Min Level: 43.9dB, 5/20/03 @ 10:47:10 AM
Overload: 0.00%

LEQ: 57.0dB
LDN: 57.0dB
L1: 64.6dB

SEL(3): 84.9dB
CNEL: 57.0dB
L10: 59.6dB

TWA: 40.3dB
Pa2Sec: 0.1
L50: 55.7dB

TAKM3: 58.1dB
L90: 50.3dB

Study 4

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:53:23 AM
Study Stopped: 5/20/03 @ 11:04:44 AM
Run Time: 0:11:21

Peak Level: 83.9dB, 5/20/03 @ 10:53:34 AM
Max Level: 67.9dB, 5/20/03 @ 10:53:31 AM
Min Level: 42.6dB, 5/20/03 @ 11:00:41 AM
Overload: 0.00%

LEQ: 56.4dB
LDN: 56.4dB
L1: 65.1dB

SEL(3):84.8dB
CNEL: 56.4dB
L10: 59.3dB

TWA: 40.2dB
Pa2Sec: 0.1
L50: 54.7dB

TAKM3: 57.6dB
L90: 49.7dB

Study 5

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:04:46 AM
Study Stopped: 5/20/03 @ 11:16:17 AM
Run Time: 0:11:31
Peak Level: 77.6dB, 5/20/03 @ 11:10:06 AM
Max Level: 63.8dB, 5/20/03 @ 11:10:05 AM
Min Level: 43.5dB, 5/20/03 @ 11:12:33 AM
Overload: 0.00%

LEQ: 55.1dB
LDN: 55.1dB
L1: 61.6dB

SEL(3):83.5dB
CNEL: 55.1dB
L10: 58.2dB

TWA: 38.9dB
Pa2Sec: 0.1
L50: 53.8dB

TAKM3: 56.1dB
L90: 48.6dB

Study 6

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:16:19 AM
Study Stopped: 5/20/03 @ 11:26:45 AM
Run Time: 0:10:26
Peak Level: 80.2dB, 5/20/03 @ 11:22:54 AM
Max Level: 64.1dB, 5/20/03 @ 11:20:25 AM
Min Level: 43.8dB, 5/20/03 @ 11:24:15 AM
Overload: 0.00%

LEQ: 55.7dB
LDN: 55.7dB
L1: 62.3dB

SEL(3):83.7dB
CNEL: 55.7dB
L10: 58.2dB

TWA: 39.1dB
Pa2Sec: 0.1
L50: 55.0dB

TAKM3: 56.8dB
L90: 49.3dB

Study 7

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:26:47 AM
Study Stopped: 5/20/03 @ 11:39:43 AM
Run Time: 0:12:56

Peak Level: 79.5dB, 5/20/03 @ 11:31:35 AM
Max Level: 65.4dB, 5/20/03 @ 11:31:33 AM
Min Level: 44.9dB, 5/20/03 @ 11:30:50 AM
Overload: 0.00%

LEQ: 55.4dB
LDN: 55.4dB
L1: 61.1dB

SEL(3):84.3dB
CNEL: 55.4dB
L10: 58.3dB

TWA: 39.7dB
Pa2Sec: 0.1
L50: 54.1dB

TAKM3: 56.4dB
L90: 49.4dB

Study 8

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:39:44 AM
Study Stopped: 5/20/03 @ 11:49:55 AM
Run Time: 0:10:10
Peak Level: 76.1dB, 5/20/03 @ 11:45:06 AM
Max Level: 61.3dB, 5/20/03 @ 11:45:05 AM
Min Level: 45.6dB, 5/20/03 @ 11:40:32 AM
Overload: 0.00%

LEQ: 55.0dB
LDN: 55.0dB
L1: 60.6dB

SEL(3):82.8dB
CNEL: 55.0dB
L10: 58.0dB

TWA: 38.2dB
Pa2Sec: 0.1
L50: 53.9dB

TAKM3: 55.8dB
L90: 49.5dB

Study 9

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:49:56 AM
Study Stopped: 5/20/03 @ 12:00:31 PM
Run Time: 0:10:34
Peak Level: 85.8dB, 5/20/03 @ 11:57:59 AM
Max Level: 72.0dB, 5/20/03 @ 11:57:58 AM
Min Level: 43.3dB, 5/20/03 @ 11:57:25 AM
Overload: 0.00%

LEQ: 56.7dB
LDN: 56.7dB
L1: 65.7dB

SEL(3):84.7dB
CNEL: 56.7dB
L10: 58.9dB

TWA: 40.1dB
Pa2Sec: 0.1
L50: 55.0dB

TAKM3: 58.5dB
L90: 49.5dB

Study 10

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:22:38 PM
Study Stopped: 5/20/03 @ 4:34:01 PM
Run Time: 0:11:22
Peak Level: 86.7dB, 5/20/03 @ 4:23:32 PM
Max Level: 68.4dB, 5/20/03 @ 4:23:32 PM
Min Level: 43.3dB, 5/20/03 @ 4:29:09 PM
Overload: 0.00%

LEQ: 57.2dB
LDN: 57.2dB
L1: 64.0dB

SEL(3):85.5dB
CNEL: 57.2dB
L10: 60.1dB

TWA: 41.0dB
Pa2Sec: 0.1
L50: 56.2dB

TAKM3: 58.2dB
L90: 48.0dB

Study 11

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:34:02 PM
Study Stopped: 5/20/03 @ 4:44:12 PM
Run Time: 0:10:09
Peak Level: 81.7dB, 5/20/03 @ 4:40:57 PM
Max Level: 66.2dB, 5/20/03 @ 4:41:08 PM
Min Level: 45.8dB, 5/20/03 @ 4:39:55 PM
Overload: 0.00%

LEQ: 57.1dB
LDN: 57.1dB
L1: 64.5dB

SEL(3):85.0dB
CNEL: 57.1dB
L10: 59.6dB

TWA: 40.4dB
Pa2Sec: 0.1
L50: 56.0dB

TAKM3: 58.1dB
L90: 51.8dB

Study 12

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:44:14 PM
Study Stopped: 5/20/03 @ 4:54:31 PM
Run Time: 0:10:17
Peak Level: 80.6dB, 5/20/03 @ 4:47:04 PM
Max Level: 65.3dB, 5/20/03 @ 4:47:03 PM
Min Level: 49.1dB, 5/20/03 @ 4:46:03 PM
Overload: 0.04%

LEQ: 57.5dB
LDN: 57.5dB
L1: 63.6dB

SEL(3):85.4dB
CNEL: 57.5dB
L10: 60.0dB

TWA: 40.8dB
Pa2Sec: 0.1
L50: 56.5dB

TAKM3: 58.3dB
L90: 52.5dB

Study 13

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:05:20 PM
Study Stopped: 5/20/03 @ 10:19:22 PM
Run Time: 0:14:02
Peak Level: 83.2dB, 5/20/03 @ 10:08:15 PM
Max Level: 70.9dB, 5/20/03 @ 10:08:14 PM
Min Level: 42.9dB, 5/20/03 @ 10:12:16 PM
Overload: 0.00%

LEQ: 53.7dB
LDN: 63.7dB
L1: 64.4dB

SEL(3):83.0dB
CNEL: 63.7dB
L10: 56.0dB

TWA: 38.4dB
Pa2Sec: 0.1
L50: 50.1dB

TAKM3: 55.1dB
L90: 45.1dB

Study 14

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:19:24 PM
Study Stopped: 5/20/03 @ 10:29:36 PM
Run Time: 0:10:11
Peak Level: 74.1dB, 5/20/03 @ 10:20:49 PM
Max Level: 61.0dB, 5/20/03 @ 10:29:32 PM
Min Level: 42.4dB, 5/20/03 @ 10:20:09 PM
Overload: 0.00%

LEQ: 52.2dB
LDN: 62.2dB
L1: 59.1dB

SEL(3):80.1dB
CNEL: 62.2dB
L10: 56.1dB

TWA: 35.5dB
Pa2Sec: 0.0
L50: 49.9dB

TAKM3: 53.2dB
L90: 43.9dB

Study 15

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:29:38 PM
Study Stopped: 5/20/03 @ 10:41:25 PM
Run Time: 0:11:47
Peak Level: 84.5dB, 5/20/03 @ 10:32:40 PM
Max Level: 64.7dB, 5/20/03 @ 10:39:35 PM
Min Level: 41.5dB, 5/20/03 @ 10:30:15 PM
Overload: 0.00%

EEQ: 52.4dB
LDN: 62.4dB
L1: 60.4dB

SEL(3):80.9dB
CNEL: 62.4dB
L10: 56.4dB

TWA: 36.3dB
Pa2Sec: 0.0
L50: 48.8dB

TAKM3: 53.7dB
L90: 43.4dB

Study 16

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:41:27 PM
Study Stopped: 5/20/03 @ 10:51:42 PM
Run Time: 0:10:15
Peak Level: 74.7dB, 5/20/03 @ 10:45:57 PM
Max Level: 61.7dB, 5/20/03 @ 10:45:57 PM
Min Level: 42.8dB, 5/20/03 @ 10:43:32 PM
Overload: 0.00%

LEQ: 51.6dB
LDN: 61.6dB
L1: 58.7dB

SEL(3): 79.5dB
CNEL: 61.6dB
L10: 55.4dB

TWA: 34.9dB
Pa2Sec: 0.0
L50: 49.1dB

TAKM3: 52.8dB
L90: 44.2dB

Study 17

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:51:43 PM
Study Stopped: 5/20/03 @ 11:01:52 PM
Run Time: 0:10:08
Peak Level: 74.8dB, 5/20/03 @ 10:56:26 PM
Max Level: 61.7dB, 5/20/03 @ 10:56:25 PM
Min Level: 42.3dB, 5/20/03 @ 11:00:32 PM
Overload: 0.00%

LEQ: 51.3dB
LDN: 61.3dB
L1: 60.2dB

SEL(3):79.1dB
CNEL: 61.3dB
L10: 55.0dB

TWA: 34.5dB
Pa2Sec: 0.0
L50: 47.6dB

TAKM3: 52.5dB
L90: 43.5dB

Study 18

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:01:53 PM
Study Stopped: 5/20/03 @ 11:11:55 PM
Run Time: 0:10:02
Peak Level: 76.9dB, 5/20/03 @ 11:09:31 PM
Max Level: 67.0dB, 5/20/03 @ 11:09:31 PM
Min Level: 41.9dB, 5/20/03 @ 11:02:29 PM
Overload: 0.00%

LEQ: 51.4dB
LDN: 61.4dB
L1: 60.8dB

SEL(3):79.2dB
CNEL: 61.4dB
L10: 54.3dB

TWA: 34.6dB
Pa2Sec: 0.0
L50: 47.9dB

TAKM3: 52.9dB
L90: 43.3dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4

Serial Number: CD7120018

Name: CPH Naples / Wal-Mart Estero Site

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreschan
Site) at 300 Feet From US 41

Meter Calibration: 114.0dB, 5/20/03 @ 10:02:19 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 30 - 90 dB

Weighting: A

Time Constant: Slow

Threshold: Off

Exchange Rate: 3dB

Peak Weighting: A

Study Started: 5/20/03 @ 10:14:24 AM

Study Stopped: 5/20/03 @ 10:26:28 AM

Run Time: 0:12:03

Peak Level: 81.8dB, 5/20/03 @ 10:26:27 AM

Max Level: 65.3dB, 5/20/03 @ 10:26:25 AM

Min Level: 44.5dB, 5/20/03 @ 10:15:36 AM

Overload: 0.03%

LEQ: 54.5dB

SEL(3):83.0dB

TWA: 38.5dB

TAKM3: 55.3dB

LDN: 54.5dB

CNEL: 54.5dB

Pa2Sec: 0.1

L1: 60.3dB

L10: 57.5dB

L50: 53.2dB

L90: 48.4dB

300' Ft. From US 41

DL 1-9 DT 52.2-55.2 (53.6 dBA) DT AM

DL 10-12 DT 54.4-55.5 (54.8 dBA) DT PM

DL 14-19 NT 50.9-52.5 (51.4 dBA) NT PM

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:26:38 AM
Study Stopped: 5/20/03 @ 10:42:31 AM
Run Time: 0:15:53
Peak Level: 80.4dB, 5/20/03 @ 10:32:18 AM
Max Level: 64.9dB, 5/20/03 @ 10:32:18 AM
Min Level: 45.0dB, 5/20/03 @ 10:37:38 AM
Overload: 0.00%

LEQ: 54.3dB
LDN: 54.3dB
L1: 62.9dB

SEL(3):84.1dB
CNEL: 54.3dB
L10: 56.9dB

TWA: 39.5dB
Pa2Sec: 0.1
L50: 52.7dB

TAKM3: 55.2dB
L90: 49.0dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:42:33 AM
Study Stopped: 5/20/03 @ 10:52:48 AM
Run Time: 0:10:14

Peak Level: 80.3dB, 5/20/03 @ 10:46:42 AM
Max Level: 64.8dB, 5/20/03 @ 10:46:42 AM
Min Level: 43.7dB, 5/20/03 @ 10:47:12 AM
Overload: 0.00%

LEQ: 54.1dB
LDN: 54.1dB
L1: 61.9dB

SEL(3):82.0dB
CNEL: 54.1dB
L10: 56.5dB

TWA: 37.4dB
Pa2Sec: 0.1
L50: 52.9dB

TAKM3: 54.9dB
L90: 49.0dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:52:49 AM
Study Stopped: 5/20/03 @ 11:04:07 AM
Run Time: 0:11:17

Peak Level: 77.4dB, 5/20/03 @ 10:53:32 AM
Max Level: 63.8dB, 5/20/03 @ 10:53:32 AM
Min Level: 43.0dB, 5/20/03 @ 11:00:42 AM
Overload: 0.00%

LEQ: 53.8dB
LDN: 53.8dB
L1: 61.7dB

SEL(3):82.2dB
CNEL: 53.8dB
L10: 56.7dB

TWA: 37.6dB
Pa2Sec: 0.1
L50: 52.7dB

TAKM3: 54.7dB
L90: 48.3dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:04:09 AM
Study Stopped: 5/20/03 @ 11:15:42 AM
Run Time: 0:11:33
Peak Level: 77.3dB, 5/20/03 @ 11:15:42 AM
Max Level: 59.1dB, 5/20/03 @ 11:14:52 AM
Min Level: 43.9dB, 5/20/03 @ 11:07:22 AM
Overload: 0.00%

LEQ: 52.5dB
LDN: 52.5dB
L1: 58.1dB

SEL(3):80.9dB
CNEL: 52.5dB
L10: 55.6dB

TWA: 36.3dB
Pa2Sec: 0.0
L50: 51.5dB

TAKM3: 53.3dB
L90: 47.4dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:15:44 AM
Study Stopped: 5/20/03 @ 11:26:10 AM
Run Time: 0:10:25
Peak Level: 77.3dB, 5/20/03 @ 11:22:55 AM
Max Level: 61.5dB, 5/20/03 @ 11:22:55 AM
Min Level: 44.0dB, 5/20/03 @ 11:19:30 AM
Overload: 0.01%

LEQ: 53.0dB
LDN: 53.0dB
L1: 58.4dB

SEL(3):81.0dB
CNEL: 53.0dB
L10: 55.4dB

TWA: 36.4dB
Pa2Sec: 0.0
L50: 52.3dB

TAKM3: 53.8dB
L90: 48.1dB

Study 7

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:26:13 AM
Study Stopped: 5/20/03 @ 11:39:11 AM
Run Time: 0:12:58
Peak Level: 76.2dB, 5/20/03 @ 11:31:35 AM
Max Level: 61.5dB, 5/20/03 @ 11:31:36 AM
Min Level: 44.6dB, 5/20/03 @ 11:30:50 AM
Overload: 0.00%

LEQ: 52.8dB
LDN: 52.8dB
L1: 57.8dB

SEL(3):81.7dB
CNEL: 52.8dB
L10: 55.4dB

TWA: 37.1dB
Pa2Sec: 0.1
L50: 51.9dB

TAKM3: 53.6dB
L90: 48.2dB

Study 8

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:39:12 AM
Study Stopped: 5/20/03 @ 11:49:19 AM
Run Time: 0:10:07
Peak Level: 76.6dB, 5/20/03 @ 11:43:38 AM
Max Level: 58.1dB, 5/20/03 @ 11:45:07 AM
Min Level: 44.9dB, 5/20/03 @ 11:40:34 AM
Overload: 0.01%

LEQ: 52.2dB
LDN: 52.2dB
L1: 56.8dB

SEL(3):80.0dB
CNEL: 52.2dB
L10: 54.7dB

TWA: 35.4dB
Pa2Sec: 0.0
L50: 51.5dB

TAKM3: 52.8dB
L90: 48.1dB

Study 9

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:49:21 AM
Study Stopped: 5/20/03 @ 11:59:27 AM
Run Time: 0:10:05
Peak Level: 85.9dB, 5/20/03 @ 11:58:01 AM
Max Level: 73.6dB, 5/20/03 @ 11:58:00 AM
Min Level: 43.5dB, 5/20/03 @ 11:57:28 AM
Overload: 0.00%

LEQ: 55.2dB
LDN: 55.2dB
L1: 66.1dB

SEL(3):83.0dB
CNEL: 55.2dB
L10: 55.9dB

TWA: 38.4dB
Pa2Sec: 0.1
L50: 52.1dB

TAKM3: 57.1dB
L90: 48.2dB

Study 10

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:23:21 PM
Study Stopped: 5/20/03 @ 4:34:27 PM
Run Time: 0:11:06
Peak Level: 84.8dB, 5/20/03 @ 4:23:35 PM
Max Level: 67.0dB, 5/20/03 @ 4:23:35 PM
Min Level: 43.4dB, 5/20/03 @ 4:28:30 PM
Overload: 0.00%

LEQ: 54.5dB
LDN: 54.5dB
L1: 62.0dB

SEL(3):82.8dB
CNEL: 54.5dB
L10: 57.2dB

TWA: 38.2dB
Pa2Sec: 0.1
L50: 53.5dB

TAKM3: 55.5dB
L90: 47.0dB

Study 11

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:34:33 PM
Study Stopped: 5/20/03 @ 4:44:52 PM
Run Time: 0:10:18
Peak Level: 77.0dB, 5/20/03 @ 4:40:57 PM
Max Level: 61.8dB, 5/20/03 @ 4:43:48 PM
Min Level: 45.8dB, 5/20/03 @ 4:39:56 PM
Overload: 0.15%

LEQ: 54.4dB
LDN: 54.4dB
L1: 60.9dB

SEL(3):82.4dB
CNEL: 54.4dB
L10: 56.9dB

TWA: 37.8dB
Pa2Sec: 0.1
L50: 53.5dB

TAKM3: 55.3dB
L90: 50.1dB

Study 12

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:44:53 PM
Study Stopped: 5/20/03 @ 4:55:11 PM
Run Time: 0:10:17
Peak Level: 76.4dB, 5/20/03 @ 4:49:27 PM
Max Level: 61.3dB, 5/20/03 @ 4:51:43 PM
Min Level: 49.0dB, 5/20/03 @ 4:46:04 PM
Overload: 0.71%

LEQ: 55.5dB
LDN: 55.5dB
L1: 60.6dB

SEL(3):83.5dB
CNEL: 55.5dB
L10: 58.2dB

TWA: 38.9dB
Pa2Sec: 0.1
L50: 54.9dB

TAKM3: 56.1dB
L90: 51.4dB

Study 13 (ABORET)

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:02:04 PM
Study Stopped: 5/20/03 @ 10:06:39 PM
Run Time: 0:04:34
Peak Level: 101.7dB, 5/20/03 @ 10:03:28 PM
Max Level: 68.2dB, 5/20/03 @ 10:03:27 PM
Min Level: 48.6dB, 5/20/03 @ 10:03:59 PM
Overload: 0.09%

LEQ: 55.2dB
LDN: 65.2dB
L1: 63.8dB

SEL(3):79.6dB
CNEL: 65.2dB
L10: 57.6dB

TWA: 35.0dB
Pa2Sec: 0.0
L50: 53.6dB

TAKM3: 57.4dB
L90: 50.0dB

Study 14

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:06:49 PM
Study Stopped: 5/20/03 @ 10:20:05 PM
Run Time: 0:13:15
Peak Level: 78.6dB, 5/20/03 @ 10:08:16 PM
Max Level: 66.4dB, 5/20/03 @ 10:08:16 PM
Min Level: 46.9dB, 5/20/03 @ 10:18:51 PM
Overload: 0.00%

LEQ: 52.5dB
LDN: 62.5dB
L1: 61.7dB

SEL(3):81.5dB
CNEL: 62.5dB
L10: 54.4dB

TWA: 36.9dB
Pa2Sec: 0.1
L50: 50.5dB

TAKM3: 53.4dB
L90: 48.7dB

Study 15

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:20:06 PM
Study Stopped: 5/20/03 @ 10:30:18 PM
Run Time: 0:10:11
Peak Level: 71.7dB, 5/20/03 @ 10:29:34 PM
Max Level: 58.2dB, 5/20/03 @ 10:29:34 PM
Min Level: 45.8dB, 5/20/03 @ 10:30:07 PM
Overload: 0.00%

LEQ: 51.2dB
LDN: 61.2dB
L1: 56.5dB

SEL(3):79.1dB
CNEL: 61.2dB
L10: 54.1dB

TWA: 34.5dB
Pa2Sec: 0.0
L50: 50.1dB

TAKM3: 51.9dB
L90: 47.4dB

Study 16

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:30:20 PM
Study Stopped: 5/20/03 @ 10:42:01 PM
Run Time: 0:11:41
Peak Level: 73.2dB, 5/20/03 @ 10:39:37 PM
Max Level: 61.4dB, 5/20/03 @ 10:39:36 PM
Min Level: 46.7dB, 5/20/03 @ 10:30:23 PM
Overload: 0.00%

LEQ: 51.6dB
LDN: 61.6dB
L1: 58.3dB

SEL(3):80.0dB
CNEL: 61.6dB
L10: 54.5dB

TWA: 35.4dB
Pa2Sec: 0.0
L50: 49.9dB

TAKM3: 52.3dB
L90: 48.1dB

Study 17

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:42:03 PM
Study Stopped: 5/20/03 @ 10:52:21 PM
Run Time: 0:10:18
Peak Level: 71.7dB, 5/20/03 @ 10:45:59 PM
Max Level: 58.8dB, 5/20/03 @ 10:45:58 PM
Min Level: 47.0dB, 5/20/03 @ 10:43:30 PM
Overload: 0.00%

LEQ: 51.1dB
LDN: 61.1dB
L1: 56.3dB

SEL(3):79.0dB
CNEL: 61.1dB
L10: 53.5dB

TWA: 34.4dB
Pa2Sec: 0.0
L50: 49.9dB

TAKM3: 51.8dB
L90: 48.3dB

Study 18

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:52:23 PM
Study Stopped: 5/20/03 @ 11:02:32 PM
Run Time: 0:10:09
Peak Level: 71.7dB, 5/20/03 @ 10:54:23 PM
Max Level: 58.7dB, 5/20/03 @ 10:56:25 PM
Min Level: 46.3dB, 5/20/03 @ 11:02:30 PM
Overload: 0.00%

LEQ: 50.9dB
LDN: 60.9dB
L1: 57.3dB

SEL(3):78.8dB
CNEL: 60.9dB
L10: 53.0dB

TWA: 34.2dB
Pa2Sec: 0.0
L50: 49.6dB

TAKM3: 51.6dB
L90: 48.1dB

Study 19

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:02:34 PM
Study Stopped: 5/20/03 @ 11:12:48 PM
Run Time: 0:10:13
Peak Level: 76.2dB, 5/20/03 @ 11:12:24 PM
Max Level: 62.7dB, 5/20/03 @ 11:09:31 PM
Min Level: 46.8dB, 5/20/03 @ 11:02:36 PM
Overload: 0.00%

LEQ: 51.3dB
LDN: 61.3dB
L1: 58.7dB

SEL(3):79.2dB
CNEL: 61.3dB
L10: 53.3dB

TWA: 34.6dB
Pa2Sec: 0.0
L50: 49.9dB

TAKM3: 52.0dB
L90: 48.3dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD7120020

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 450 Feet From US-41

Meter Calibration: 114.0dB, 5/20/03 @ 10:03:35 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:13:38 AM
Study Stopped: 5/20/03 @ 10:25:32 AM
Run Time: 0:11:53
Peak Level: 84.0dB, 5/20/03 @ 10:17:43 AM
Max Level: 57.5dB, 5/20/03 @ 10:17:42 AM
Min Level: 41.5dB, 5/20/03 @ 10:15:41 AM
Overload: 0.01%

LEQ: 49.6dB
LDN: 49.6dB
L1: 55.3dB

SEL(3): 78.1dB
CNEL: 49.6dB
L10: 52.3dB

TWA: 33.5dB
Pa2Sec: 0.0
L50: 48.7dB

TAKM3: 50.4dB
L90: 44.7dB

450 Ft. From US-41

DL 1-9 DT 48.2-51.5 (49.9 dBA) DT AM

DL 10-12 DT 48.6-50.8 (49.7 dBA) DT PM

DL 13-18 NT 57.6-58.5 (58.2 dBA) NT PM

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:25:45 AM
Study Stopped: 5/20/03 @ 10:41:49 AM
Run Time: 0:16:03
Peak Level: 79.5dB, 5/20/03 @ 10:35:24 AM
Max Level: 61.0dB, 5/20/03 @ 10:31:46 AM
Min Level: 41.8dB, 5/20/03 @ 10:28:46 AM
Overload: 0.00%

LEQ: 50.2dB
LDN: 50.2dB
L1: 58.1dB

SEL(3):80.1dB
CNEL: 50.2dB
L10: 52.8dB

TWA: 35.5dB
Pa2Sec: 0.0
L50: 48.8dB

TAKM3: 51.3dB
L90: 45.1dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:41:53 AM
Study Stopped: 5/20/03 @ 10:52:03 AM
Run Time: 0:10:09
Peak Level: 74.6dB, 5/20/03 @ 10:46:46 AM
Max Level: 58.9dB, 5/20/03 @ 10:46:47 AM
Min Level: 42.5dB, 5/20/03 @ 10:47:17 AM
Overload: 0.00%

LEQ: 49.4dB
LDN: 49.4dB
L1: 55.6dB

SEL(3):77.2dB
CNEL: 49.4dB
L10: 51.6dB

TWA: 32.7dB
Pa2Sec: 0.0
L50: 48.5dB

TAKM3: 50.2dB
L90: 45.9dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:52:06 AM
Study Stopped: 5/20/03 @ 11:03:11 AM
Run Time: 0:11:05
Peak Level: 77.7dB, 5/20/03 @ 11:02:31 AM
Max Level: 64.2dB, 5/20/03 @ 11:02:32 AM
Min Level: 42.1dB, 5/20/03 @ 10:52:33 AM
Overload: 0.04%

LEQ: 50.8dB
LDN: 50.8dB
L1: 61.7dB

SEL(3):79.0dB
CNEL: 50.8dB
L10: 52.6dB

TWA: 34.4dB
Pa2Sec: 0.0
L50: 48.4dB

TAKM3: 51.9dB
L90: 44.7dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:03:22 AM
Study Stopped: 5/20/03 @ 11:14:54 AM
Run Time: 0:11:32
Peak Level: 80.8dB, 5/20/03 @ 11:06:01 AM
Max Level: 66.8dB, 5/20/03 @ 11:06:02 AM
Min Level: 41.4dB, 5/20/03 @ 11:07:26 AM
Overload: 0.00%

LEQ: 50.6dB
LDN: 50.6dB
L1: 61.9dB

SEL(3):79.0dB
CNEL: 50.6dB
L10: 51.5dB

TWA: 34.4dB
Pa2Sec: 0.0
L50: 47.4dB

TAKM3: 51.7dB
L90: 44.3dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:14:56 AM
Study Stopped: 5/20/03 @ 11:25:13 AM
Run Time: 0:10:17
Peak Level: 80.4dB, 5/20/03 @ 11:24:31 AM
Max Level: 67.3dB, 5/20/03 @ 11:24:30 AM
Min Level: 42.4dB, 5/20/03 @ 11:19:35 AM
Overload: 0.00%

LEQ: 51.5dB
LDN: 51.5dB
L1: 63.7dB

SEL(3):79.4dB
CNEL: 51.5dB
L10: 52.7dB

TWA: 34.9dB
Pa2Sec: 0.0
L50: 48.5dB

TAKM3: 52.9dB
L90: 45.2dB

Study 7

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:25:18 AM
Study Stopped: 5/20/03 @ 11:38:27 AM
Run Time: 0:13:08
Peak Level: 73.5dB, 5/20/03 @ 11:25:29 AM
Max Level: 54.5dB, 5/20/03 @ 11:31:40 AM
Min Level: 41.8dB, 5/20/03 @ 11:30:55 AM
Overload: 0.01%

LEQ: 48.2dB
LDN: 48.2dB
L1: 53.3dB

SEL(3):77.2dB
CNEL: 48.2dB
L10: 50.6dB

TWA: 32.6dB
Pa2Sec: 0.0
L50: 47.4dB

TAKM3: 49.0dB
L90: 44.6dB

Study 8

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:38:29 AM
Study Stopped: 5/20/03 @ 11:48:31 AM
Run Time: 0:10:02
Peak Level: 78.2dB, 5/20/03 @ 11:46:16 AM
Max Level: 58.5dB, 5/20/03 @ 11:43:58 AM
Min Level: 41.7dB, 5/20/03 @ 11:47:11 AM
Overload: 0.00%

LEQ: 48.2dB
LDN: 48.2dB
L1: 54.2dB

SEL(3):76.0dB
CNEL: 48.2dB
L10: 50.1dB

TWA: 31.4dB
Pa2Sec: 0.0
L50: 47.6dB

TAKM3: 49.0dB
L90: 44.2dB

Study 9

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:48:33 AM
Study Stopped: 5/20/03 @ 11:58:37 AM
Run Time: 0:10:03
Peak Level: 83.0dB, 5/20/03 @ 11:58:02 AM
Max Level: 69.9dB, 5/20/03 @ 11:58:01 AM
Min Level: 42.2dB, 5/20/03 @ 11:50:54 AM
Overload: 0.03%

LEQ: 51.0dB
LDN: 51.0dB
L1: 62.1dB

SEL(3):78.8dB
CNEL: 51.0dB
L10: 51.9dB

TWA: 34.2dB
Pa2Sec: 0.0
L50: 47.9dB

TAKM3: 53.2dB
L90: 45.0dB

Study 10

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:24:06 PM
Study Stopped: 5/20/03 @ 4:35:19 PM
Run Time: 0:11:12
Peak Level: 101.8dB, 5/20/03 @ 4:24:15 PM
Max Level: 63.4dB, 5/20/03 @ 4:24:14 PM
Min Level: 40.6dB, 5/20/03 @ 4:28:51 PM
Overload: 0.01%

LEQ: 48.6dB
LDN: 48.6dB
L1: 53.5dB

SEL(3):76.8dB
CNEL: 48.6dB
L10: 51.1dB

TWA: 32.3dB
Pa2Sec: 0.0
L50: 47.9dB

TAKM3: 50.0dB
L90: 43.1dB

Study 11

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:35:24 PM
Study Stopped: 5/20/03 @ 4:45:45 PM
Run Time: 0:10:21

Peak Level: 76.9dB, 5/20/03 @ 4:41:02 PM
Max Level: 63.5dB, 5/20/03 @ 4:42:25 PM
Min Level: 43.3dB, 5/20/03 @ 4:37:19 PM
Overload: 0.02%

LEQ: 50.8dB
LDN: 50.8dB
L1: 55.9dB

SEL(3):78.7dB
CNEL: 50.8dB
L10: 53.5dB

TWA: 34.1dB
Pa2Sec: 0.0
L50: 49.9dB

TAKM3: 51.8dB
L90: 45.4dB

Study 12

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 4:45:46 PM
Study Stopped: 5/20/03 @ 4:56:04 PM
Run Time: 0:10:17
Peak Level: 76.0dB, 5/20/03 @ 4:50:58 PM
Max Level: 63.3dB, 5/20/03 @ 4:49:55 PM
Min Level: 47.1dB, 5/20/03 @ 4:47:47 PM
Overload: 0.91%*

LEQ: 54.3dB *VOID*
LDN: 54.3dB
L1: 60.1dB

SEL(3):82.2dB
CNEL: 54.3dB
L10: 57.3dB

TWA: 37.6dB
Pa2Sec: 0.1
L50: 52.9dB

TAKM3: 55.1dB
L90: 49.7dB

Study 13

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:07:58 PM
Study Stopped: 5/20/03 @ 10:21:01 PM
Run Time: 0:13:02
Peak Level: 74.9dB, 5/20/03 @ 10:14:31 PM
Max Level: 61.3dB, 5/20/03 @ 10:14:31 PM
Min Level: 53.0dB, 5/20/03 @ 10:20:11 PM
Overload: 0.00%

LEQ: 58.2dB
LDN: 68.3dB
L1: 60.4dB

SEL(3):87.2dB
CNEL: 68.3dB
L10: 59.5dB

TWA: 42.6dB
Pa2Sec: 0.2
L50: 58.3dB

TAKM3: 58.7dB
L90: 56.4dB

Study 14

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:21:03 PM
Study Stopped: 5/20/03 @ 10:31:18 PM
Run Time: 0:10:15
Peak Level: 79.0dB, 5/20/03 @ 10:31:14 PM
Max Level: 61.1dB, 5/20/03 @ 10:25:37 PM
Min Level: 51.2dB, 5/20/03 @ 10:25:55 PM
Overload: 0.00%

LEQ: 57.6dB
LDN: 67.6dB
L1: 60.8dB

SEL(3):85.5dB
CNEL: 67.6dB
L10: 60.0dB

TWA: 40.9dB
Pa2Sec: 0.1
L50: 57.4dB

TAKM3: 58.1dB
L90: 53.8dB

Study 15

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:31:19 PM
Study Stopped: 5/20/03 @ 10:42:57 PM
Run Time: 0:11:37
Peak Level: 79.0dB, 5/20/03 @ 10:31:25 PM
Max Level: 61.4dB, 5/20/03 @ 10:35:06 PM
Min Level: 52.4dB, 5/20/03 @ 10:41:48 PM
Overload: 0.00%

LEQ: 58.5dB
LDN: 68.5dB
L1: 61.0dB

SEL(3): 87.0dB
CNEL: 68.5dB
L10: 60.4dB

TWA: 42.4dB
Pa2Sec: 0.2
L50: 58.4dB

TAKM3: 59.1dB
L90: 55.8dB

Study 16

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:42:59 PM
Study Stopped: 5/20/03 @ 10:53:17 PM
Run Time: 0:10:18
Peak Level: 74.6dB, 5/20/03 @ 10:50:27 PM
Max Level: 61.4dB, 5/20/03 @ 10:47:43 PM
Min Level: 52.0dB, 5/20/03 @ 10:44:19 PM
Overload: 0.00%

LEQ: 58.2dB
LDN: 68.2dB
L1: 60.9dB

SEL(3):86.1dB
CNEL: 68.2dB
L10: 60.0dB

TWA: 41.6dB
Pa2Sec: 0.2
L50: 58.3dB

TAKM3: 58.8dB
L90: 55.2dB

Study 17

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 10:53:18 PM
Study Stopped: 5/20/03 @ 11:03:30 PM
Run Time: 0:10:12
Peak Level: 81.4dB, 5/20/03 @ 10:53:42 PM
Max Level: 61.5dB, 5/20/03 @ 10:56:35 PM
Min Level: 49.7dB, 5/20/03 @ 10:59:15 PM
Overload: 0.01%

LEQ: 58.2dB
LDN: 68.2dB
L1: 61.0dB

SEL(3):86.0dB
CNEL: 68.2dB
L10: 60.0dB

TWA: 41.5dB
Pa2Sec: 0.2
L50: 58.3dB

TAKM3: 58.7dB
L90: 53.9dB

Study 18

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/20/03 @ 11:03:34 PM
Study Stopped: 5/20/03 @ 11:13:40 PM
Run Time: 0:10:05
Peak Level: 82.7dB, 5/20/03 @ 11:03:47 PM
Max Level: 60.6dB, 5/20/03 @ 11:10:07 PM
Min Level: 53.5dB, 5/20/03 @ 11:09:13 PM
Overload: 0.00%

LEQ: 58.5dB
LDN: 68.5dB
L1: 60.2dB

SEL(3):86.3dB
CNEL: 68.5dB
L10: 59.8dB

TWA: 41.7dB
Pa2Sec: 0.2
L50: 58.4dB

TAKM3: 58.9dB
L90: 56.7dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4

Serial Number: CDA120044

Name: CPH Naples / Wal-Mart Estero Site

Work Area: Wal-Mart Estero Site / Existing Wal-Mart

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 100 Feet From US 41. @ Existing Wal-Mart Super
Store Fort Myers at Facility Perimeter

Meter Calibration: 114.0dB, 5/21/03 @ 9:57:17 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:41:54 AM

Study Stopped: 5/21/03 @ 10:54:24 AM

Run Time: 0:12:29

Peak Level: 83.6dB, 5/21/03 @ 10:50:11 AM

Max Level: 69.5dB, 5/21/03 @ 10:50:12 AM

Min Level: 46.2dB, 5/21/03 @ 10:48:04 AM

Overload: 0.00%

LEQ: 61.9dB

LDN: 61.9dB

L1: 68.2dB

SEL(3): 90.7dB

CNEL: 61.9dB

L10: 65.3dB

TWA: 46.1dB

Pa2Sec: 0.5

L50: 60.7dB

TAKM3: 63.5dB

L90: 53.0dB

100' From US-41

DL 1-7 DT 61.7-66.8 (63.0 dBA) DT AM

DL 19-21 DT 63.2-^{64.2}~~64.4~~ (63.8 dBA) DT PM

DL 30-32 NT 56.6-58.2 (57.4 dBA) NT PM

Study 2

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:54:26 AM
Study Stopped: 5/21/03 @ 11:06:59 AM
Run Time: 0:12:32
Peak Level: 89.5dB, 5/21/03 @ 11:05:11 AM
Max Level: 74.7dB, 5/21/03 @ 11:05:12 AM
Min Level: 47.6dB, 5/21/03 @ 11:01:17 AM
Overload: 0.00%

LEQ: 62.8dB
LDN: 62.8dB
L1: 71.6dB

SEL(3):91.6dB
CNEL: 62.8dB
L10: 65.9dB

TWA: 47.0dB
Pa2Sec: 0.6
L50: 60.8dB

TAKM3: 64.5dB
L90: 53.3dB

FRONT WALMART (EXISTING)

DL 8-10 DT (67.5) 67.1-67.9

DL 22-23 DT (61.3) 60.6-61.9

DL 33-34 NT (59.0) 58.0-59.9

SOUTHSIDE WALMART (EXISTING)

DL 11-13 DT (62.5) 60.0-65.0

DL 24-25 DT (57.8) 56.6-58.9

DL 35-36 NT (55.5) 50.3-60.6

BACKSIDE WALMART (EXISTING)

DL 14-16 DT (62.6) 55.9-67.7

DL 26-27 DT (54.7) 51.5-57.8

DL 37-38 NT (48.2) 48.1-48.2

NORTHSIDE WALMART (EXISTING)

DL 17-18 DT (54.3) 52.1-56.4

DL 28-29 DT (49.6) 49.1-50.0

DL 39-40 NT (51.1) 50.0-52.2

Study 3

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:07:10 AM
Study Stopped: 5/21/03 @ 11:19:40 AM
Run Time: 0:12:29
Peak Level: 92.1dB, 5/21/03 @ 11:19:07 AM
Max Level: 75.6dB, 5/21/03 @ 11:19:06 AM
Min Level: 40.9dB, 5/21/03 @ 11:17:35 AM
Overload: 0.00%

LEQ: 62.6dB
LDN: 62.6dB
L1: 72.6dB

SEL(3):91.3dB
CNEL: 62.6dB
L10: 65.3dB

TWA: 46.7dB
Pa2Sec: 0.5
L50: 59.8dB

TAKM3: 64.3dB
L90: 50.2dB

Study 4

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:19:42 AM
Study Stopped: 5/21/03 @ 11:32:37 AM
Run Time: 0:12:55
Peak Level: 91.2dB, 5/21/03 @ 11:20:43 AM
Max Level: 75.4dB, 5/21/03 @ 11:20:43 AM
Min Level: 46.1dB, 5/21/03 @ 11:31:28 AM
Overload: 0.00%

LEQ: 61.9dB
LDN: 61.9dB
L1: 69.6dB

SEL(3):90.8dB
CNEL: 61.9dB
L10: 65.3dB

TWA: 46.2dB
Pa2Sec: 0.5
L50: 59.8dB

TAKM3: 63.6dB
L90: 51.6dB

Study 5

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:32:39 AM
Study Stopped: 5/21/03 @ 11:32:41 AM
Run Time: 0:00:02
Peak Level: 75.1dB, 5/21/03 @ 11:32:40 AM
Max Level: 64.7dB, 5/21/03 @ 11:32:40 AM
Min Level: 62.0dB, 5/21/03 @ 11:32:41 AM
Overload: 0.00%

LEQ: 63.3dB (ABORT)
LDN: 63.3dB
L1: 64.6dB

SEL(3): 67.4dB
CNEL: 63.3dB
L10: 64.4dB

TWA: 22.8dB
Pa2Sec: 0.0
L50: 63.1dB

TAKM3: 0.0dB
L90: 62.2dB

Study 6

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:32:45 AM
Study Stopped: 5/21/03 @ 11:44:28 AM
Run Time: 0:11:43
Peak Level: 101.6dB, 5/21/03 @ 11:32:51 AM
Max Level: 84.3dB, 5/21/03 @ 11:32:51 AM
Min Level: 42.4dB, 5/21/03 @ 11:35:46 AM
Overload: 0.00%

LEQ: 66.8dB
LDN: 66.8dB
L1: 81.6dB

SEL(3):95.3dB
CNEL: 66.8dB
L10: 66.3dB

TWA: 50.7dB
Pa2Sec: 1.3
L50: 60.1dB

TAKM3: 68.9dB
L90: 51.9dB

Study 7

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:44:30 AM
Study Stopped: 5/21/03 @ 11:54:59 AM
Run Time: 0:10:29
Peak Level: 84.4dB, 5/21/03 @ 11:53:40 AM
Max Level: 70.2dB, 5/21/03 @ 11:53:40 AM
Min Level: 44.7dB, 5/21/03 @ 11:46:03 AM
Overload: 0.00%

LEQ: 61.7dB
LDN: 61.7dB
L1: 67.5dB

SEL(3):89.7dB
CNEL: 61.7dB
L10: 65.5dB

TWA: 45.1dB
Pa2Sec: 0.4
L50: 60.2dB

TAKM3: 63.3dB
L90: 52.8dB

Study 8

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:27:55 PM
Study Stopped: 5/21/03 @ 12:38:13 PM
Run Time: 0:10:17
Peak Level: 93.2dB, 5/21/03 @ 12:29:18 PM
Max Level: 70.1dB, 5/21/03 @ 12:29:33 PM
Min Level: 62.8dB, 5/21/03 @ 12:31:28 PM
Overload: 0.00%

LEQ: 67.1dB
LDN: 67.1dB
L1: 69.3dB

SEL(3):95.0dB
CNEL: 67.1dB
L10: 68.2dB

TWA: 50.4dB
Pa2Sec: 1.3
L50: 66.9dB

TAKM3: 67.6dB
L90: 66.0dB

Study 9

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:38:17 PM
Study Stopped: 5/21/03 @ 12:48:36 PM
Run Time: 0:10:19
Peak Level: 90.8dB, 5/21/03 @ 12:48:16 PM
Max Level: 70.5dB, 5/21/03 @ 12:46:42 PM
Min Level: 63.1dB, 5/21/03 @ 12:42:01 PM
Overload: 0.02%

LEQ: 67.4dB
LDN: 67.4dB
L1: 69.4dB

SEL(3):95.3dB
CNEL: 67.4dB
L10: 68.7dB

TWA: 50.7dB
Pa2Sec: 1.4
L50: 67.3dB

TAKM3: 68.0dB
L90: 66.0dB

Study 10

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 12:48:42 PM
Study Stopped: 5/21/03 @ 12:59:09 PM
Run Time: 0:10:27
Peak Level: 92.4dB, 5/21/03 @ 12:51:30 PM
Max Level: 78.4dB, 5/21/03 @ 12:48:56 PM
Min Level: 62.4dB, 5/21/03 @ 12:52:11 PM
Overload: 0.00%

LEQ: 67.9dB
LDN: 67.9dB
L1: 74.0dB

SEL(3):95.9dB
CNEL: 67.9dB
L10: 69.4dB

TWA: 51.3dB
Pa2Sec: 1.5
L50: 67.2dB

TAKM3: 68.9dB
L90: 65.2dB

Study 11

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:03:02 PM
Study Stopped: 5/21/03 @ 1:13:21 PM
Run Time: 0:10:19
Peak Level: 104.0dB, 5/21/03 @ 1:03:04 PM
Max Level: 81.4dB, 5/21/03 @ 1:03:50 PM
Min Level: 52.9dB, 5/21/03 @ 1:08:08 PM
Overload: 0.00%

LEQ: 65.0dB
LDN: 65.0dB
L1: 76.0dB

SEL(3):92.9dB
CNEL: 65.0dB
L10: 68.3dB

TWA: 48.3dB
Pa2Sec: 0.8
L50: 59.5dB

TAKM3: 67.3dB
L90: 55.0dB

Study 12

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:13:25 PM
Study Stopped: 5/21/03 @ 1:24:30 PM
Run Time: 0:11:04
Peak Level: 99.6dB, 5/21/03 @ 1:14:48 PM
Max Level: 84.7dB, 5/21/03 @ 1:14:47 PM
Min Level: 53.2dB, 5/21/03 @ 1:21:38 PM
Overload: 0.00%

LEQ: 62.6dB
LDN: 62.6dB
L1: 70.7dB

SEL(3):90.8dB
CNEL: 62.6dB
L10: 64.9dB

TWA: 46.2dB
Pa2Sec: 0.5
L50: 58.4dB

TAKM3: 65.7dB
L90: 55.7dB

Study 13

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:24:31 PM
Study Stopped: 5/21/03 @ 1:34:35 PM
Run Time: 0:10:04
Peak Level: 94.1dB, 5/21/03 @ 1:31:55 PM
Max Level: 76.6dB, 5/21/03 @ 1:31:55 PM
Min Level: 52.0dB, 5/21/03 @ 1:28:52 PM
Overload: 0.00%

LEQ: 60.0dB
LDN: 60.0dB
L1: 71.2dB

SEL(3):87.8dB
CNEL: 60.0dB
L10: 62.4dB

TWA: 43.2dB
Pa2Sec: 0.2
L50: 56.1dB

TAKM3: 62.6dB
L90: 53.4dB

Study 14

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:37:33 PM
Study Stopped: 5/21/03 @ 1:47:36 PM
Run Time: 0:10:03
Peak Level: 95.7dB, 5/21/03 @ 1:45:58 PM
Max Level: 82.9dB, 5/21/03 @ 1:41:23 PM
Min Level: 49.6dB, 5/21/03 @ 1:44:17 PM
Overload: 0.02%

LEQ: 67.7dB
LDN: 67.7dB
L1: 81.0dB

SEL(3):95.5dB
CNEL: 67.7dB
L10: 69.4dB

TWA: 50.9dB
Pa2Sec: 1.4
L50: 52.1dB

TAKM3: 69.4dB
L90: 50.5dB

Study 15

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:47:38 PM
Study Stopped: 5/21/03 @ 1:57:40 PM
Run Time: 0:10:02
Peak Level: 98.5dB, 5/21/03 @ 1:53:59 PM
Max Level: 73.4dB, 5/21/03 @ 1:50:18 PM
Min Level: 50.3dB, 5/21/03 @ 1:48:47 PM
Overload: 0.00%

LEQ: 55.9dB
LDN: 55.9dB
L1: 65.3dB

SEL(3):83.7dB
CNEL: 55.9dB
L10: 55.9dB

TWA: 39.1dB
Pa2Sec: 0.1
L50: 54.9dB

TAKM3: 57.6dB
L90: 51.3dB

Study 16

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 1:57:44 PM
Study Stopped: 5/21/03 @ 2:10:07 PM
Run Time: 0:12:23
Peak Level: 100.4dB, 5/21/03 @ 2:03:33 PM
Max Level: 85.5dB, 5/21/03 @ 2:03:34 PM
Min Level: 49.9dB, 5/21/03 @ 2:06:49 PM
Overload: 0.00%

LEQ: 64.2dB
LDN: 64.2dB
L1: 78.0dB

SEL(3):92.9dB
CNEL: 64.2dB
L10: 56.0dB

TWA: 48.3dB
Pa2Sec: 0.8
L50: 54.4dB

TAKM3: 66.2dB
L90: 51.3dB

Study 17

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 2:13:07 PM

Study Stopped: 5/21/03 @ 2:23:40 PM

Run Time: 0:10:33

Peak Level: 86.1dB, 5/21/03 @ 2:13:10 PM

Max Level: 64.6dB, 5/21/03 @ 2:13:10 PM

Min Level: 46.7dB, 5/21/03 @ 2:15:05 PM

Overload: 0.00%

LEQ: 52.1dB

LDN: 52.1dB

L1: 58.6dB

SEL(3):80.2dB

CNEL: 52.1dB

L10: 54.7dB

TWA: 35.6dB

Pa2Sec: 0.0

L50: 50.8dB

TAKM3: 53.6dB

L90: 48.5dB

Study 18

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 2:23:42 PM
Study Stopped: 5/21/03 @ 2:34:00 PM
Run Time: 0:10:17
Peak Level: 88.2dB, 5/21/03 @ 2:26:40 PM
Max Level: 70.4dB, 5/21/03 @ 2:26:39 PM
Min Level: 46.3dB, 5/21/03 @ 2:29:44 PM
Overload: 0.00%

LEQ: 56.4dB
LDN: 56.4dB
L1: 67.8dB

SEL(3):84.3dB
CNEL: 56.4dB
L10: 59.5dB

TWA: 39.7dB
Pa2Sec: 0.1
L50: 50.0dB

TAKM3: 57.6dB
L90: 47.5dB

Study 19

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:34:35 PM
Study Stopped: 5/21/03 @ 4:46:25 PM
Run Time: 0:11:50
Peak Level: 95.9dB, 5/21/03 @ 4:35:59 PM
Max Level: 82.2dB, 5/21/03 @ 4:35:59 PM
Min Level: 45.9dB, 5/21/03 @ 4:44:37 PM
Overload: 0.00%

LEQ: 64.2dB
LDN: 64.2dB
L1: 69.9dB

SEL(3):92.7dB
CNEL: 64.2dB
L10: 66.4dB

TWA: 48.1dB
Pa2Sec: 0.7
L50: 62.0dB

TAKM3: 66.2dB
L90: 54.7dB

Study 20

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:46:28 PM
Study Stopped: 5/21/03 @ 4:57:03 PM
Run Time: 0:10:35
Peak Level: 86.3dB, 5/21/03 @ 4:51:56 PM
Max Level: 72.4dB, 5/21/03 @ 4:54:21 PM
Min Level: 43.9dB, 5/21/03 @ 4:51:00 PM
Overload: 0.00%

LEQ: 64.1dB
LDN: 64.1dB
L1: 71.0dB

SEL(3):92.1dB
CNEL: 64.1dB
L10: 67.6dB

TWA: 47.5dB
Pa2Sec: 0.6
L50: 62.4dB

TAKM3: 65.4dB
L90: 53.9dB

Study 21

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:57:12 PM
Study Stopped: 5/21/03 @ 5:08:49 PM
Run Time: 0:11:37

Peak Level: 89.8dB, 5/21/03 @ 5:08:49 PM
Max Level: 70.4dB, 5/21/03 @ 5:08:49 PM
Min Level: 41.9dB, 5/21/03 @ 4:57:34 PM
Overload: 0.00%

LEQ: 63.2dB
LDN: 63.2dB
L1: 68.6dB

SEL(3):91.6dB
CNEL: 63.2dB
L10: 66.3dB

TWA: 47.0dB
Pa2Sec: 0.6
L50: 62.4dB

TAKM3: 64.6dB
L90: 54.9dB

Study 22

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 5:46:14 PM
Study Stopped: 5/21/03 @ 5:56:33 PM
Run Time: 0:10:18
Peak Level: 93.3dB, 5/21/03 @ 5:56:29 PM
Max Level: 71.3dB, 5/21/03 @ 5:54:39 PM
Min Level: 53.0dB, 5/21/03 @ 5:52:49 PM
Overload: 0.00%

LEQ: 60.6dB
LDN: 60.6dB
L1: 68.2dB

SEL(3):88.5dB
CNEL: 60.6dB
L10: 63.9dB

TWA: 43.9dB
Pa2Sec: 0.3
L50: 58.6dB

TAKM3: 61.9dB
L90: 55.3dB

Study 23

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 5:56:38 PM
Study Stopped: 5/21/03 @ 6:06:56 PM
Run Time: 0:10:17
Peak Level: 92.6dB, 5/21/03 @ 6:00:38 PM
Max Level: 75.1dB, 5/21/03 @ 6:03:12 PM
Min Level: 55.9dB, 5/21/03 @ 5:59:59 PM
Overload: 0.00%

LEQ: 61.9dB
LDN: 61.9dB
L1: 69.6dB

SEL(3):89.8dB
CNEL: 61.9dB
L10: 64.3dB

TWA: 45.2dB
Pa2Sec: 0.4
L50: 60.3dB

TAKM3: 63.4dB
L90: 57.7dB

Study 24

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 6:10:37 PM
Study Stopped: 5/21/03 @ 6:20:55 PM
Run Time: 0:10:18
Peak Level: 87.0dB, 5/21/03 @ 6:11:16 PM
Max Level: 70.2dB, 5/21/03 @ 6:14:51 PM
Min Level: 52.0dB, 5/21/03 @ 6:18:34 PM
Overload: 0.03%

LEQ: 58.9dB
LDN: 58.9dB
L1: 66.6dB

SEL(3):86.8dB
CNEL: 58.9dB
L10: 61.0dB

TWA: 42.2dB
Pa2Sec: 0.2
L50: 57.4dB

TAKM3: 60.6dB
L90: 54.8dB

Study 25

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 6:20:58 PM
Study Stopped: 5/21/03 @ 6:31:17 PM
Run Time: 0:10:18
Peak Level: 92.4dB, 5/21/03 @ 6:21:47 PM
Max Level: 71.3dB, 5/21/03 @ 6:21:46 PM
Min Level: 51.6dB, 5/21/03 @ 6:29:07 PM
Overload: 0.00%

LEQ: 56.6dB
LDN: 56.6dB
L1: 61.8dB

SEL(3):84.6dB
CNEL: 56.6dB
L10: 59.0dB

TWA: 40.0dB
Pa2Sec: 0.1
L50: 55.1dB

TAKM3: 58.1dB
L90: 53.3dB

Study 26

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 6:33:23 PM
Study Stopped: 5/21/03 @ 6:43:40 PM
Run Time: 0:10:17
Peak Level: 83.9dB, 5/21/03 @ 6:41:04 PM
Max Level: 63.6dB, 5/21/03 @ 6:41:04 PM
Min Level: 48.9dB, 5/21/03 @ 6:39:12 PM
Overload: 0.00%

LEQ: 51.5dB
LDN: 51.5dB
L1: 59.2dB

SEL(3):79.4dB
CNEL: 51.5dB
L10: 52.2dB

TWA: 34.8dB
Pa2Sec: 0.0
L50: 50.7dB

TAKM3: 52.7dB
L90: 49.8dB

Study 27

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 6:43:43 PM
Study Stopped: 5/21/03 @ 6:54:26 PM
Run Time: 0:10:42
Peak Level: 93.2dB, 5/21/03 @ 6:52:34 PM
Max Level: 77.5dB, 5/21/03 @ 6:52:34 PM
Min Level: 48.9dB, 5/21/03 @ 6:47:15 PM
Overload: 0.00%

LEQ: 57.8dB
LDN: 57.8dB
L1: 67.8dB

SEL(3):85.9dB
CNEL: 57.8dB
L10: 59.1dB

TWA: 41.3dB
Pa2Sec: 0.2
L50: 51.1dB

TAKM3: 60.2dB
L90: 50.0dB

Study 28

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 6:56:00 PM
Study Stopped: 5/21/03 @ 7:06:25 PM
Run Time: 0:10:24
Peak Level: 86.6dB, 5/21/03 @ 6:56:13 PM
Max Level: 62.7dB, 5/21/03 @ 6:56:13 PM
Min Level: 44.2dB, 5/21/03 @ 7:05:12 PM
Overload: 0.00%

LEQ: 50.0dB
LDN: 50.0dB
L1: 53.8dB

SEL(3):77.9dB
CNEL: 53.3dB
L10: 52.3dB

TWA: 33.3dB
Pa2Sec: 0.0
L50: 49.3dB

TAKM3: 50.9dB
L90: 46.5dB

Study 29

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 7:06:26 PM
Study Stopped: 5/21/03 @ 7:16:46 PM
Run Time: 0:10:19
Peak Level: 83.9dB, 5/21/03 @ 7:16:21 PM
Max Level: 56.9dB, 5/21/03 @ 7:08:09 PM
Min Level: 44.1dB, 5/21/03 @ 7:13:33 PM
Overload: 0.00%

LEQ: 49.1dB
LDN: 49.1dB
L1: 53.3dB

SEL(3):77.0dB
CNEL: 54.1dB
L10: 51.3dB

TWA: 32.4dB
Pa2Sec: 0.0
L50: 48.2dB

TAKM3: 49.9dB
L90: 46.3dB

Study 30

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:16:25 PM
Study Stopped: 5/21/03 @ 10:28:16 PM
Run Time: 0:11:50

Peak Level: 83.7dB, 5/21/03 @ 10:19:39 PM
Max Level: 67.9dB, 5/21/03 @ 10:19:38 PM
Min Level: 39.9dB, 5/21/03 @ 10:25:20 PM
Overload: 0.00%

LEQ: 58.2dB
LDN: 68.2dB
L1: 65.7dB

SEL(3):86.7dB
CNEL: 68.2dB
L10: 63.1dB

TWA: 42.1dB
Pa2Sec: 0.2
L50: 54.0dB

TAKM3: 60.0dB
L90: 41.7dB

Study 31

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:28:24 PM
Study Stopped: 5/21/03 @ 10:40:29 PM
Run Time: 0:12:04
Peak Level: 83.9dB, 5/21/03 @ 10:38:38 PM
Max Level: 70.1dB, 5/21/03 @ 10:38:13 PM
Min Level: 42.9dB, 5/21/03 @ 10:36:32 PM
Overload: 0.00%

LEQ: 57.4dB
LDN: 67.4dB
L1: 67.6dB

SEL(3): 86.0dB
CNEL: 67.4dB
L10: 62.0dB

TWA: 41.4dB
Pa2Sec: 0.2
L50: 51.3dB

TAKM3: 59.3dB
L90: 45.0dB

Study 32

Measuring Parameters

Range: 40 - 100 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:40:33 PM
Study Stopped: 5/21/03 @ 10:50:51 PM
Run Time: 0:10:18
Peak Level: 79.8dB, 5/21/03 @ 10:45:01 PM
Max Level: 66.7dB, 5/21/03 @ 10:45:00 PM
Min Level: 43.2dB, 5/21/03 @ 10:49:07 PM
Overload: 0.00%

LEQ: 56.6dB
LDN: 66.6dB
L1: 65.1dB

SEL(3):84.5dB
CNEL: 66.6dB
L10: 61.7dB

TWA: 39.9dB
Pa2Sec: 0.1
L50: 51.0dB

TAKM3: 58.3dB
L90: 44.8dB

Study 33

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:18:03 PM
Study Stopped: 5/21/03 @ 11:28:34 PM
Run Time: 0:10:31
Peak Level: 103.6dB, 5/21/03 @ 11:27:41 PM
Max Level: 76.1dB, 5/21/03 @ 11:27:41 PM
Min Level: 48.0dB, 5/21/03 @ 11:22:23 PM
Overload: 0.30%

LEQ: 59.9dB
LDN: 69.9dB
L1: 72.0dB

SEL(3):87.9dB
CNEL: 69.9dB
L10: 62.2dB

TWA: 43.3dB
Pa2Sec: 0.2
L50: 54.9dB

TAKM3: 62.8dB
L90: 50.1dB

Study 34

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:28:39 PM
Study Stopped: 5/21/03 @ 11:39:00 PM
Run Time: 0:10:21
Peak Level: 93.9dB, 5/21/03 @ 11:29:32 PM
Max Level: 68.5dB, 5/21/03 @ 11:29:00 PM
Min Level: 48.9dB, 5/21/03 @ 11:30:43 PM
Overload: 0.02%

LEQ: 58.0dB
LDN: 68.0dB
L1: 65.8dB

SEL(3):86.0dB
CNEL: 68.0dB
L10: 61.0dB

TWA: 41.4dB
Pa2Sec: 0.2
L50: 56.2dB

TAKM3: 59.7dB
L90: 53.5dB

Study 35

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:41:55 PM
Study Stopped: 5/21/03 @ 11:52:15 PM
Run Time: 0:10:20
Peak Level: 91.2dB, 5/21/03 @ 11:48:20 PM
Max Level: 75.4dB, 5/21/03 @ 11:48:47 PM
Min Level: 45.9dB, 5/21/03 @ 11:42:12 PM
Overload: 0.00%

LEQ: 60.6dB
LDN: 70.6dB
L1: 73.5dB

SEL(3):88.5dB
CNEL: 70.6dB
L10: 63.5dB

TWA: 44.0dB
Pa2Sec: 0.3
L50: 51.0dB

TAKM3: 62.0dB
L90: 47.8dB

Study 36

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:52:16 PM
Study Stopped: 5/22/03 @ 12:02:38 AM
Run Time: 0:10:21

Peak Level: 82.2dB, 5/21/03 @ 11:59:09 PM
Max Level: 61.4dB, 5/21/03 @ 11:55:56 PM
Min Level: 45.9dB, 5/21/03 @ 11:59:16 PM
Overload: 0.00%

LEQ: 50.3dB
LDN: 60.3dB
L1: 59.1dB

SEL(3): 78.2dB
CNEL: 60.3dB
L10: 52.4dB

TWA: 33.6dB
Pa2Sec: 0.0
L50: 48.7dB

TAKM3: 51.5dB
L90: 46.7dB

Study 37

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/22/03 @ 12:04:45 AM
Study Stopped: 5/22/03 @ 12:15:11 AM
Run Time: 0:10:25
Peak Level: 82.7dB, 5/22/03 @ 12:07:37 AM
Max Level: 57.7dB, 5/22/03 @ 12:07:36 AM
Min Level: 46.9dB, 5/22/03 @ 12:09:43 AM
Overload: 0.02%

LEQ: 48.2dB
LDN: 58.1dB
L1: 50.2dB

SEL(3): 76.1dB
CNEL: 58.1dB
L10: 48.5dB

TWA: 31.5dB
Pa2Sec: 0.0
L50: 48.0dB

TAKM3: 48.7dB
L90: 47.6dB

Study 38

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/22/03 @ 12:15:13 AM
Study Stopped: 5/22/03 @ 12:25:31 AM
Run Time: 0:10:17
Peak Level: 75.8dB, 5/22/03 @ 12:23:13 AM
Max Level: 49.7dB, 5/22/03 @ 12:23:13 AM
Min Level: 46.7dB, 5/22/03 @ 12:25:06 AM
Overload: 0.00%

LEQ: 48.1dB
LDN: 58.0dB
L1: 49.1dB

SEL(3):76.0dB
CNEL: 58.0dB
L10: 48.6dB

TWA: 31.4dB
Pa2Sec: 0.0
L50: 48.0dB

TAKM3: 48.4dB
L90: 47.5dB

Study 39

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/22/03 @ 12:27:33 AM
Study Stopped: 5/22/03 @ 12:38:43 AM
Run Time: 0:11:10
Peak Level: 75.7dB, 5/22/03 @ 12:34:49 AM
Max Level: 55.9dB, 5/22/03 @ 12:28:06 AM
Min Level: 43.1dB, 5/22/03 @ 12:30:29 AM
Overload: 0.00%

LEQ: 50.0dB
LDN: 60.0dB
L1: 53.8dB

SEL(3): 78.2dB
CNEL: 60.0dB
L10: 53.0dB

TWA: 33.6dB
Pa2Sec: 0.0
L50: 48.3dB

TAKM3: 50.5dB
L90: 43.9dB

Study 40

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/22/03 @ 12:38:49 AM
Study Stopped: 5/22/03 @ 12:49:06 AM
Run Time: 0:10:17
Peak Level: 79.3dB, 5/22/03 @ 12:48:48 AM
Max Level: 58.5dB, 5/22/03 @ 12:39:02 AM
Min Level: 48.5dB, 5/22/03 @ 12:42:23 AM
Overload: 0.00%

LEQ: 52.2dB
LDN: 62.2dB
L1: 57.1dB

SEL(3):80.1dB
CNEL: 62.2dB
L10: 53.2dB

TWA: 35.5dB
Pa2Sec: 0.0
L50: 51.9dB

TAKM3: 52.7dB
L90: 50.6dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD120045

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 200 Feet From US 41

Meter Calibration: 114.1dB, 5/21/03 @ 9:55:00 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:42:15 AM
Study Stopped: 5/21/03 @ 10:54:44 AM
Run Time: 0:12:28
Peak Level: 75.7dB, 5/21/03 @ 10:51:39 AM
Max Level: 62.6dB, 5/21/03 @ 10:49:51 AM
Min Level: 44.9dB, 5/21/03 @ 10:44:15 AM
Overload: 0.04%

LEQ: 54.5dB
LDN: 54.5dB
L1: 60.4dB

SEL(3): 83.2dB
CNEL: 54.5dB
L10: 57.4dB

TWA: 38.6dB
Pa2Sec: 0.1
L50: 53.5dB

TAKM3: 55.5dB
L90: 48.0dB

200' FROM US-41

DL 1-6 DT 54.2-59.5 (56.4 dBA) DT AM

DL 7-9 DT 55.8-56.3 (56.1 dBA) DT PM

DL 10-12 NT 50.7-52.1 (51.5 dBA) NT PM

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:54:45 AM
Study Stopped: 5/21/03 @ 11:07:21 AM
Run Time: 0:12:36
Peak Level: 79.8dB, 5/21/03 @ 11:03:23 AM
Max Level: 64.5dB, 5/21/03 @ 10:56:00 AM
Min Level: 46.2dB, 5/21/03 @ 10:57:31 AM
Overload: 0.00%

LEQ: 55.7dB
LDN: 55.7dB
L1: 63.2dB

SEL(3):84.5dB
CNEL: 55.7dB
L10: 58.3dB

TWA: 39.9dB
Pa2Sec: 0.1
L50: 54.4dB

TAKM3: 56.8dB
L90: 50.5dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:07:23 AM
Study Stopped: 5/21/03 @ 11:19:54 AM
Run Time: 0:12:31
Peak Level: 84.0dB, 5/21/03 @ 11:18:46 AM
Max Level: 67.6dB, 5/21/03 @ 11:18:45 AM
Min Level: 39.3dB, 5/21/03 @ 11:17:14 AM
Overload: 0.04%

LEQ: 55.2dB
LDN: 55.2dB
L1: 64.7dB

SEL(3):83.9dB
CNEL: 55.2dB
L10: 57.7dB

TWA: 39.3dB
Pa2Sec: 0.1
L50: 53.1dB

TAKM3: 56.3dB
L90: 46.2dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:20:01 AM
Study Stopped: 5/21/03 @ 11:32:57 AM
Run Time: 0:12:55
Peak Level: 99.5dB, 5/21/03 @ 11:32:30 AM
Max Level: 79.4dB, 5/21/03 @ 11:32:29 AM
Min Level: 44.1dB, 5/21/03 @ 11:31:05 AM
Overload: 0.07%

LEQ: 59.1dB
LDN: 59.1dB
L1: 71.4dB

SEL(3):88.0dB
CNEL: 59.1dB
L10: 57.9dB

TWA: 43.4dB
Pa2Sec: 0.3
L50: 53.2dB

TAKM3: 61.0dB
L90: 47.9dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:33:04 AM
Study Stopped: 5/21/03 @ 11:44:43 AM
Run Time: 0:11:38
Peak Level: 96.0dB, 5/21/03 @ 11:41:47 AM
Max Level: 79.2dB, 5/21/03 @ 11:41:48 AM
Min Level: 41.2dB, 5/21/03 @ 11:35:23 AM
Overload: 0.35%

LEQ: 59.5dB
LDN: 59.5dB
L1: 72.8dB

SEL(3):87.9dB
CNEL: 59.5dB
L10: 58.4dB

TWA: 43.4dB
Pa2Sec: 0.2
L50: 52.7dB

TAKM3: 61.3dB
L90: 47.6dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:44:44 AM
Study Stopped: 5/21/03 @ 11:55:11 AM
Run Time: 0:10:27
Peak Level: 74.2dB, 5/21/03 @ 11:48:20 AM
Max Level: 60.6dB, 5/21/03 @ 11:53:18 AM
Min Level: 42.6dB, 5/21/03 @ 11:47:16 AM
Overload: 0.12%

LEQ: 54.2dB
LDN: 54.2dB
L1: 59.2dB

SEL(3):82.2dB
CNEL: 54.2dB
L10: 57.5dB

TWA: 37.6dB
Pa2Sec: 0.1
L50: 53.0dB

TAKM3: 55.2dB
L90: 48.4dB

Study 7

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:34:51 PM
Study Stopped: 5/21/03 @ 4:46:37 PM
Run Time: 0:11:46
Peak Level: 86.5dB, 5/21/03 @ 4:35:38 PM
Max Level: 73.8dB, 5/21/03 @ 4:35:37 PM
Min Level: 43.3dB, 5/21/03 @ 4:44:16 PM
Overload: 0.06%

LEQ: 56.3dB
LDN: 56.3dB
L1: 65.0dB

SEL(3):84.8dB
CNEL: 56.3dB
L10: 58.2dB

TWA: 40.2dB
Pa2Sec: 0.1
L50: 54.2dB

TAKM3: 57.6dB
L90: 49.7dB

Study 8

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:46:45 PM
Study Stopped: 5/21/03 @ 4:57:22 PM
Run Time: 0:10:37
Peak Level: 79.4dB, 5/21/03 @ 4:53:55 PM
Max Level: 66.3dB, 5/21/03 @ 4:53:54 PM
Min Level: 40.5dB, 5/21/03 @ 4:57:11 PM
Overload: 0.00%

LEQ: 56.3dB
LDN: 56.3dB
L1: 63.0dB

SEL(3):84.4dB
CNEL: 56.3dB
L10: 59.7dB

TWA: 39.8dB
Pa2Sec: 0.1
L50: 54.9dB

TAKM3: 57.3dB
L90: 47.7dB

Study 9

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:57:24 PM
Study Stopped: 5/21/03 @ 5:09:10 PM
Run Time: 0:11:45
Peak Level: 89.4dB, 5/21/03 @ 5:09:09 PM
Max Level: 68.8dB, 5/21/03 @ 5:09:08 PM
Min Level: 45.3dB, 5/21/03 @ 5:03:10 PM
Overload: 0.00%

LEQ: 55.8dB
LDN: 55.8dB
L1: 62.1dB

SEL(3):84.3dB
CNEL: 55.8dB
L10: 58.2dB

TWA: 39.7dB
Pa2Sec: 0.1
L50: 55.1dB

TAKM3: 56.9dB
L90: 50.8dB

Study 10

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:16:40 PM
Study Stopped: 5/21/03 @ 10:28:37 PM
Run Time: 0:11:56
Peak Level: 75.0dB, 5/21/03 @ 10:28:34 PM
Max Level: 59.5dB, 5/21/03 @ 10:21:16 PM
Min Level: 41.4dB, 5/21/03 @ 10:25:01 PM
Overload: 0.00%

LEQ: 52.1dB
LDN: 62.1dB
L1: 58.2dB

SEL(3):80.7dB
CNEL: 62.1dB
L10: 56.2dB

TWA: 36.1dB
Pa2Sec: 0.0
L50: 50.1dB

TAKM3: 53.2dB
L90: 42.9dB

Study 11

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:28:42 PM
Study Stopped: 5/21/03 @ 10:40:43 PM
Run Time: 0:12:00
Peak Level: 79.1dB, 5/21/03 @ 10:38:17 PM
Max Level: 62.9dB, 5/21/03 @ 10:38:16 PM
Min Level: 41.9dB, 5/21/03 @ 10:30:50 PM
Overload: 0.00%

LEQ: 51.6dB
LDN: 61.6dB
L1: 61.6dB

SEL(3):80.2dB
CNEL: 61.6dB
L10: 55.5dB

TWA: 35.6dB
Pa2Sec: 0.0
L50: 48.0dB

TAKM3: 52.9dB
L90: 43.2dB

Study 12

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:40:44 PM
Study Stopped: 5/21/03 @ 10:51:05 PM
Run Time: 0:10:20
Peak Level: 77.4dB, 5/21/03 @ 10:51:03 PM
Max Level: 58.5dB, 5/21/03 @ 10:42:47 PM
Min Level: 41.8dB, 5/21/03 @ 10:48:40 PM
Overload: 0.00%

LEQ: 50.7dB
LDN: 60.7dB
L1: 57.5dB

SEL(3):78.6dB
CNEL: 60.7dB
L10: 55.0dB

TWA: 34.0dB
Pa2Sec: 0.0
L50: 47.8dB

TAKM3: 51.7dB
L90: 43.3dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD7120018

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 300 Feet From US 41

Meter Calibration: 114.0dB, 5/21/03 @ 9:53:53 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:43:06 AM
Study Stopped: 5/21/03 @ 10:55:31 AM
Run Time: 0:12:25
Peak Level: 74.4dB, 5/21/03 @ 10:55:14 AM
Max Level: 60.8dB, 5/21/03 @ 10:55:17 AM
Min Level: 44.0dB, 5/21/03 @ 10:49:02 AM
Overload: 0.01%

LEQ: 52.2dB
LDN: 52.2dB
L1: 58.4dB

SEL(3):80.9dB
CNEL: 52.2dB
L10: 55.0dB

TWA: 36.3dB
Pa2Sec: 0.0
L50: 51.1dB

TAKM3: 52.9dB
L90: 46.6dB

300' From US-41

DL 1-6 DT 50.9-56.0 (53.5dBA) DT AM
DL 7-9 DT 52.4-52.8 (52.6dBA) DT PM
DL 10-12 NT 50.7-51.6 (51.1dBA) NT PM

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:55:33 AM
Study Stopped: 5/21/03 @ 11:07:54 AM
Run Time: 0:12:21
Peak Level: 78.1dB, 5/21/03 @ 11:00:18 AM
Max Level: 61.1dB, 5/21/03 @ 11:03:24 AM
Min Level: 46.1dB, 5/21/03 @ 10:57:21 AM
Overload: 0.03%

LEQ: 53.5dB
LDN: 53.5dB
L1: 59.8dB

SEL(3):82.2dB
CNEL: 53.5dB
L10: 56.4dB

TWA: 37.6dB
Pa2Sec: 0.1
L50: 52.4dB

TAKM3: 54.3dB
L90: 48.8dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:07:56 AM
Study Stopped: 5/21/03 @ 11:20:34 AM
Run Time: 0:12:38
Peak Level: 81.5dB, 5/21/03 @ 11:20:23 AM
Max Level: 64.9dB, 5/21/03 @ 11:20:22 AM
Min Level: 39.6dB, 5/21/03 @ 11:17:15 AM
Overload: 0.13%

LEQ: 52.8dB
LDN: 52.8dB
L1: 62.5dB

SEL(3):81.6dB
CNEL: 52.8dB
L10: 55.2dB

TWA: 37.0dB
Pa2Sec: 0.1
L50: 51.0dB

TAKM3: 53.9dB
L90: 45.6dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:20:43 AM
Study Stopped: 5/21/03 @ 11:33:35 AM
Run Time: 0:12:52
Peak Level: 99.1dB, 5/21/03 @ 11:32:31 AM
Max Level: 76.3dB, 5/21/03 @ 11:32:30 AM
Min Level: 43.5dB, 5/21/03 @ 11:31:06 AM
Overload: 0.02%

LEQ: 55.8dB
LDN: 55.8dB
L1: 68.5dB

SEL(3):84.7dB
CNEL: 55.8dB
L10: 54.3dB

TWA: 40.1dB
Pa2Sec: 0.1
L50: 50.9dB

TAKM3: 58.1dB
L90: 46.7dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:33:40 AM
Study Stopped: 5/21/03 @ 11:45:22 AM
Run Time: 0:11:41
Peak Level: 91.4dB, 5/21/03 @ 11:41:49 AM
Max Level: 75.8dB, 5/21/03 @ 11:41:50 AM
Min Level: 41.2dB, 5/21/03 @ 11:35:24 AM
Overload: 0.05%

LEQ: 56.0dB
LDN: 56.0dB
L1: 70.1dB

SEL(3): 84.4dB
CNEL: 56.0dB
L10: 55.8dB

TWA: 39.8dB
Pa2Sec: 0.1
L50: 50.5dB

TAKM3: 57.8dB
L90: 46.2dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:45:23 AM
Study Stopped: 5/21/03 @ 11:55:43 AM
Run Time: 0:10:19
Peak Level: 85.2dB, 5/21/03 @ 11:45:33 AM
Max Level: 59.3dB, 5/21/03 @ 11:45:32 AM
Min Level: 42.7dB, 5/21/03 @ 11:47:17 AM
Overload: 0.00%

LEQ: 50.9dB
LDN: 50.9dB
L1: 55.4dB

SEL(3):78.8dB
CNEL: 50.9dB
L10: 53.7dB

TWA: 34.2dB
Pa2Sec: 0.0
L50: 50.0dB

TAKM3: 51.6dB
L90: 46.6dB

Study 7

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:35:44 PM
Study Stopped: 5/21/03 @ 4:47:21 PM
Run Time: 0:11:36
Peak Level: 74.3dB, 5/21/03 @ 4:47:16 PM
Max Level: 59.4dB, 5/21/03 @ 4:47:15 PM
Min Level: 42.8dB, 5/21/03 @ 4:44:17 PM
Overload: 0.01%

LEQ: 52.4dB
LDN: 52.4dB
L1: 57.5dB

SEL(3):80.8dB
CNEL: 52.4dB
L10: 55.1dB

TWA: 36.2dB
Pa2Sec: 0.0
L50: 51.7dB

TAKM3: 53.1dB
L90: 47.8dB

Study 8

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:47:30 PM
Study Stopped: 5/21/03 @ 4:57:57 PM
Run Time: 0:10:27
Peak Level: 77.8dB, 5/21/03 @ 4:53:56 PM
Max Level: 62.5dB, 5/21/03 @ 4:53:55 PM
Min Level: 40.6dB, 5/21/03 @ 4:57:10 PM
Overload: 0.00%

LEQ: 52.6dB
LDN: 52.6dB
L1: 58.3dB

SEL(3):80.6dB
CNEL: 52.6dB
L10: 55.7dB

TWA: 36.0dB
Pa2Sec: 0.0
L50: 51.6dB

TAKM3: 53.5dB
L90: 45.7dB

Study 9

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:57:59 PM
Study Stopped: 5/21/03 @ 5:10:07 PM
Run Time: 0:12:08
Peak Level: 77.6dB, 5/21/03 @ 5:06:08 PM
Max Level: 62.4dB, 5/21/03 @ 5:09:58 PM
Min Level: 44.8dB, 5/21/03 @ 5:03:12 PM
Overload: 0.00%

LEQ: 52.8dB
LDN: 52.8dB
L1: 59.8dB

SEL(3):81.4dB
CNEL: 52.8dB
L10: 55.0dB

TWA: 36.8dB
Pa2Sec: 0.1
L50: 52.0dB

TAKM3: 53.6dB
L90: 48.4dB

Study 10

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:17:38 PM
Study Stopped: 5/21/03 @ 10:29:20 PM
Run Time: 0:11:41
Peak Level: 70.0dB, 5/21/03 @ 10:17:44 PM
Max Level: 57.7dB, 5/21/03 @ 10:21:17 PM
Min Level: 46.7dB, 5/21/03 @ 10:25:00 PM
Overload: 0.00%

LEQ: 51.6dB
LDN: 61.6dB
L1: 56.1dB

SEL(3):80.1dB
CNEL: 61.6dB
L10: 54.4dB

TWA: 35.5dB
Pa2Sec: 0.0
L50: 50.8dB

TAKM3: 52.3dB
L90: 48.0dB

Study 11

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:29:25 PM
Study Stopped: 5/21/03 @ 10:41:17 PM
Run Time: 0:11:51
Peak Level: 75.2dB, 5/21/03 @ 10:38:15 PM
Max Level: 59.8dB, 5/21/03 @ 10:37:51 PM
Min Level: 46.8dB, 5/21/03 @ 10:38:41 PM
Overload: 0.00%

LEQ: 51.1dB
LDN: 61.1dB
L1: 58.9dB

SEL(3):79.6dB
CNEL: 61.1dB
L10: 53.4dB

TWA: 35.0dB
Pa2Sec: 0.0
L50: 49.5dB

TAKM3: 51.8dB
L90: 47.8dB

Study 12

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:41:18 PM
Study Stopped: 5/21/03 @ 10:51:40 PM
Run Time: 0:10:21
Peak Level: 73.1dB, 5/21/03 @ 10:41:33 PM
Max Level: 56.7dB, 5/21/03 @ 10:51:16 PM
Min Level: 46.4dB, 5/21/03 @ 10:41:55 PM
Overload: 0.00%

LEQ: 50.7dB
LDN: 60.7dB
L1: 56.0dB

SEL(3):78.6dB
CNEL: 60.7dB
L10: 53.4dB

TWA: 34.0dB
Pa2Sec: 0.0
L50: 49.5dB

TAKM3: 51.3dB
L90: 47.6dB

Quest Technologies
2900 Integrating/Logging Sound Level Meter

Unit Version Number: 02.4
Name: CPH Naples / Wal-Mart Estero Site

Serial Number: CD7120020

Work Area: Wal-Mart Estero Site

Comments: Establishment of Daytime / Nighttime Ambient
Field Noise Levels @ Proposed Wal-Mart Estero (Koreshan
Site) at 450 Feet From US 41

Meter Calibration: 114.1dB, 5/21/03 @ 9:52:21 AM

Calibrator Serial Number:

Calibration Date:

Study 1

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:43:53 AM
Study Stopped: 5/21/03 @ 10:56:28 AM
Run Time: 0:12:34
Peak Level: 83.3dB, 5/21/03 @ 10:55:48 AM
Max Level: 61.9dB, 5/21/03 @ 10:55:02 AM
Min Level: 42.1dB, 5/21/03 @ 10:44:19 AM
Overload: 0.01%

LEQ: 49.6dB
LDN: 49.6dB
L1: 58.5dB

SEL(3): 78.4dB
CNEL: 49.6dB
L10: 52.7dB

TWA: 33.8dB
Pa2Sec: 0.0
L50: 47.6dB

TAKM3: 50.8dB
L90: 44.3dB

450' FROM US-41

DL 1-6 DT 46.8-50.6 (49.2 dBA) DT AM

DL 7-9 DT 47.1-47.9 (47.4 dBA) DT PM

DL 10-12 NT 58.0-58.4 (58.2 dBA) NT PM

Study 2

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:56:29 AM
Study Stopped: 5/21/03 @ 11:08:47 AM
Run Time: 0:12:17
Peak Level: 82.5dB, 5/21/03 @ 10:58:57 AM
Max Level: 70.3dB, 5/21/03 @ 10:58:55 AM
Min Level: 44.7dB, 5/21/03 @ 11:07:28 AM
Overload: 0.00%

LEQ: 55.6dB (V₀₁₀)
LDN: 55.6dB
L1: 68.2dB

SEL(3):84.3dB
CNEL: 55.6dB
L10: 56.6dB

TWA: 39.7dB
Pa2Sec: 0.1
L50: 50.5dB

TAKM3: 56.8dB
L90: 47.1dB

Study 3

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:08:51 AM
Study Stopped: 5/21/03 @ 11:21:35 AM
Run Time: 0:12:43
Peak Level: 73.2dB, 5/21/03 @ 11:08:57 AM
Max Level: 60.7dB, 5/21/03 @ 11:08:52 AM
Min Level: 37.9dB, 5/21/03 @ 11:17:18 AM
Overload: 0.00%

LEQ: 48.8dB
LDN: 48.8dB
L1: 57.3dB

SEL(3): 77.6dB
CNEL: 48.8dB
L10: 51.4dB

TWA: 33.0dB
Pa2Sec: 0.0
L50: 46.8dB

TAKM3: 49.7dB
L90: 42.3dB

Study 4

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:21:37 AM
Study Stopped: 5/21/03 @ 11:34:32 AM
Run Time: 0:12:55
Peak Level: 86.6dB, 5/21/03 @ 11:32:36 AM
Max Level: 68.6dB, 5/21/03 @ 11:32:36 AM
Min Level: 40.8dB, 5/21/03 @ 11:22:04 AM
Overload: 0.00%

LEQ: 50.0dB
LDN: 50.0dB
L1: 59.8dB

SEL(3):78.9dB
CNEL: 50.0dB
L10: 50.9dB

TWA: 34.3dB
Pa2Sec: 0.0
L50: 47.4dB

TAKM3: 51.5dB
L90: 44.4dB

Study 5

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:34:34 AM
Study Stopped: 5/21/03 @ 11:46:30 AM
Run Time: 0:11:56
Peak Level: 87.8dB, 5/21/03 @ 11:41:54 AM
Max Level: 69.3dB, 5/21/03 @ 11:41:53 AM
Min Level: 40.3dB, 5/21/03 @ 11:45:44 AM
Overload: 0.00%

LEQ: 50.6dB
LDN: 50.6dB
L1: 63.0dB

SEL(3): 79.2dB
CNEL: 50.6dB
L10: 51.3dB

TWA: 34.6dB
Pa2Sec: 0.0
L50: 47.3dB

TAKM3: 52.2dB
L90: 43.1dB

Study 6

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 11:46:32 AM
Study Stopped: 5/21/03 @ 11:56:34 AM
Run Time: 0:10:02
Peak Level: 66.4dB, 5/21/03 @ 11:48:22 AM
Max Level: 52.4dB, 5/21/03 @ 11:53:08 AM
Min Level: 39.5dB, 5/21/03 @ 11:55:51 AM
Overload: 0.00%

LEQ: 46.8dB
LDN: 46.8dB
L1: 50.7dB

SEL(3):74.6dB
CNEL: 46.8dB
L10: 49.1dB

TWA: 30.0dB
Pa2Sec: 0.0
L50: 46.4dB

TAKM3: 47.4dB
L90: 43.3dB

Study 7

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:36:29 PM
Study Stopped: 5/21/03 @ 4:48:23 PM
Run Time: 0:11:53
Peak Level: 72.8dB, 5/21/03 @ 4:48:20 PM
Max Level: 52.4dB, 5/21/03 @ 4:47:36 PM
Min Level: 40.2dB, 5/21/03 @ 4:44:21 PM
Overload: 0.00%

LEQ: 47.2dB
LDN: 47.2dB
L1: 51.5dB

SEL(3):75.8dB
CNEL: 47.2dB
L10: 49.8dB

TWA: 31.2dB
Pa2Sec: 0.0
L50: 46.7dB

TAKM3: 48.0dB
L90: 42.9dB

Study 8

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:48:24 PM
Study Stopped: 5/21/03 @ 4:58:47 PM
Run Time: 0:10:22
Peak Level: 74.2dB, 5/21/03 @ 4:48:26 PM
Max Level: 53.2dB, 5/21/03 @ 4:53:59 PM
Min Level: 37.5dB, 5/21/03 @ 4:57:14 PM
Overload: 0.00%

LEQ: 47.1dB
LDN: 47.1dB
L1: 51.9dB

SEL(3):75.0dB
CNEL: 47.1dB
L10: 49.8dB

TWA: 30.4dB
Pa2Sec: 0.0
L50: 46.5dB

TAKM3: 47.8dB
L90: 42.1dB

Study 9

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 4:58:50 PM
Study Stopped: 5/21/03 @ 5:11:05 PM
Run Time: 0:12:14
Peak Level: 74.3dB, 5/21/03 @ 5:11:03 PM
Max Level: 56.2dB, 5/21/03 @ 5:09:04 PM
Min Level: 40.9dB, 5/21/03 @ 5:09:33 PM
Overload: 0.01%

LEQ: 47.9dB
LDN: 47.9dB
L1: 54.5dB

SEL(3):76.5dB
CNEL: 47.9dB
L10: 50.4dB

TWA: 31.9dB
Pa2Sec: 0.0
L50: 46.9dB

TAKM3: 48.7dB
L90: 43.5dB

Study 10

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:18:33 PM
Study Stopped: 5/21/03 @ 10:30:17 PM
Run Time: 0:11:43
Peak Level: 79.3dB, 5/21/03 @ 10:30:16 PM
Max Level: 60.0dB, 5/21/03 @ 10:21:18 PM
Min Level: 53.4dB, 5/21/03 @ 10:27:11 PM
Overload: 0.00%

LEQ: 58.0dB
LDN: 68.1dB
L1: 59.6dB

SEL(3):86.5dB
CNEL: 68.1dB
L10: 59.1dB

TWA: 41.9dB
Pa2Sec: 0.2
L50: 58.2dB

TAKM3: 58.4dB
L90: 56.3dB

Study 11

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:30:21 PM
Study Stopped: 5/21/03 @ 10:42:13 PM
Run Time: 0:11:51
Peak Level: 75.0dB, 5/21/03 @ 10:30:29 PM
Max Level: 60.2dB, 5/21/03 @ 10:39:37 PM
Min Level: 55.1dB, 5/21/03 @ 10:40:31 PM
Overload: 0.00%

LEQ: 58.3dB
LDN: 68.3dB
L1: 59.8dB

SEL(3):86.8dB
CNEL: 68.3dB
L10: 59.2dB

TWA: 42.2dB
Pa2Sec: 0.2
L50: 58.4dB

TAKM3: 58.6dB
L90: 57.0dB

Study 12

Measuring Parameters

Range: 30 - 90 dB
Threshold: Off

Weighting: A
Exchange Rate: 3dB

Time Constant: Slow
Peak Weighting: A

Study Started: 5/21/03 @ 10:42:14 PM
Study Stopped: 5/21/03 @ 10:52:36 PM
Run Time: 0:10:22
Peak Level: 74.8dB, 5/21/03 @ 10:43:52 PM
Max Level: 59.7dB, 5/21/03 @ 10:42:59 PM
Min Level: 56.4dB, 5/21/03 @ 10:50:38 PM
Overload: 0.00%

LEQ: 58.4dB
LDN: 68.5dB
L1: 59.4dB

SEL(3):86.4dB
CNEL: 68.5dB
L10: 59.0dB

TWA: 41.8dB
Pa2Sec: 0.2
L50: 58.5dB

TAKM3: 58.8dB
L90: 57.8dB

Lee County Noise Ordinance

Chapter 24 1/4 NOISE CONTROL*

*Editor's note: Ord. No. 93-15, § 13, adopted April 21, 1993, repealed Ord. No. 82-32, adopted Aug. 4, 1982, from which the former provisions of Ch. 24 1/4 were initially derived. Ord. No. 82-32 was, in the past, amended by Ord. No. 83-22, § 2, adopted July 20, 1983; and Ord. No. 88-47, § 3, adopted Sept. 28, 1988. Sections 1-11 of Ord. No. 93-15 have been set out herein as a new Ch. 24 1/4, §§ 24 1/4-1-24 1/4-11.

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Sec. 24 1/4-1. Short title.

This chapter may be known and cited as the "Lee County Noise Control Ordinance."

(Ord. No. 93-15, § 1, 4-21-93)

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Sec. 24 1/4-2. Declaration of necessity.

It is found and declared that:

(1) The making and creation of excessive, unnecessary or unusually loud noises within the unincorporated area of Lee County is a condition which has existed for some time and the amount and intensity of such noises is increasing.

(2) The making, creation or maintenance of such excessive unnecessary, unnatural or unusually loud noises which are prolonged, unusual and unnatural in their time, place and use effect are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of Lee County.

(3) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, safety, welfare and repose of Lee County and its inhabitants.

(Ord. No. 93-15, § 2, 4-21-93)

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Sec. 24 1/4-3. Definitions.

The words and phrases used in this chapter are defined as follows:

A-weighted level (dBA): The total broadband sound level of the noise spectrum as measured using the "A-weighted network" of a sound level meter. The unit of measurement is the dBA. Sound level meter settings shall be for slow response.

Ambient noise: The all-encompassing noise associated with a given environment, being usually a composite of sound from many sources near and far.

Commercial zone: Any geographic area designated for commercial or professional activities by the zoning authority having jurisdiction over such area.

Continuous noise: A noise which remains essentially constant in level during the period of observation.

Decibel (dB): A division of a logarithmic scale used to express the ratio of two (2) like quantities proportional to power or energy. The ratio is expressed in decibels by multiplying its common logarithm by 10.

Emergency: An occurrence or set of circumstances involving actual or imminent physical trauma or property damage threatened or caused by an emergency.

Emergency work: Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Industrial zone: Any geographic area designated for industrial or manufacturing activities by the zoning authority having jurisdiction over such area.

Impulsive sound: A sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, and the discharge of firearms.

Intermittent noise: A noise whose sound pressure level exceeds the ambient noise level at either regular or irregular intervals.

Noise: Any sound which annoys or disturbs humans or causes or tends to cause an adverse psychological effect on humans.

Noise disturbance: One or a group of loud, harsh, nonharmonious sounds or vibrations that are unpleasant and irritating to the ear which is or may be harmful or injurious to the health or welfare of a reasonable person with normal sensitivities or unreasonably interferes with the enjoyment of life, property or outdoor recreation.

Noise level: As referenced in this chapter, the noise level is the sound pressure level as measured in dBA unless otherwise specified. A measurement of noise must be at least five (5) dB above the ambient noise level.

Person: Any individual, natural person, public or private corporation, firm, association, joint venture, partnership, or any other entity whatsoever or any combination of such, jointly and severally.

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Pure tone: Any sound which can be distinctly heard as a single pitch or a set of single pitches. For the purposes of measurement, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tone exceeds arithmetic value of the sound pressure levels of the two (2) contiguous one-third octave bands by five (5) dB for center frequencies of 500 Hz and above and by eight (8) dB for center frequencies between 160 and 400 Hz and by fifteen (15) dB for center frequencies less than or equal to 125 Hz.

Real property line: An imaginary line along the group surface, and its vertical plane extension, which separates the real property owned, rented or leased by one person from that owned, rented or leased by another person, excluding intrabuilding real property divisions.

Residential zone: Any geographic area designated for single- or multifamily dwellings by the zoning authority having jurisdiction over such area.

RMS sound pressure: The square root of the time averaged square of the sound pressure, denoted P_{rms} .

Sheriff's department: The designated authority charged with administration and enforcement of the Lee County Noise Control Ordinance.

Sound level meter: An instrument to measure the sound pressure level of relatively continuous and broadband noises. The sound level meter used to determine compliance with this chapter shall meet or exceed the requirements for type 2 sound level meter in accordance with ANSI Standard S1.4.

Sound pressure level: Twenty (20) times the logarithm to the base 10 of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micropascals ($20 \times 10^{-6} \text{ N/m}^2$). The sound pressure level is denoted L_p or SPL and is expressed in decibels.

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(Ord. No. 93-15, § 3, 4-21-93)

Sec. 24 1/4-4. Noise disturbance prohibited.

No person shall make, continue or cause to be made or continued any noise disturbance in accordance with the terms set forth in this chapter.

(Ord. No. 93-15, § 4, 4-21-93)

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Sec. 24 1/4-5. Sound levels by receiving land use.

(a) *Maximum permissible sound levels by receiving land use.* No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use category in Table 1 when measured at or within the property line of the receiving land use, as specified in Lee County Code of Noise Enforcement Practices, which establish uniform guidelines for measuring and recording sound levels for the enforcement of this chapter. These standards shall be established and become a part of the Lee County Administrative Code.

Table 1
SOUND LEVELS BY RECEIVING LAND USE

TABLE INSET:

Land Use Category	Time	Sound Level Limit dBA
Residential; public space, agricultural or institutional	7:00 a.m. – 10:00 p.m.	66
	10:00 p.m. – 7:00 a.m.	55
Commercial or business	7:00 a.m. – 10:00 p.m.	72
	10:00 p.m. – 7:00 a.m.	65
Manufacturing or industrial	At all times	75

(b) *Correction for character of sound:*

- (1) For any source of sound which emits a pure tone, the maximum sound level limits set forth in Table 1 shall be reduced by five (5) dBA.
- (2) For any source of impulsive sound which is of short duration with an abrupt onset, the maximum sound level limits set forth in Table 1 shall be increased by ten (10) dBA from 7:00 a.m. to 10:00 p.m.

(c) *Specific prohibitions.* In addition to the general prohibitions set out above in Table 1, the following specific acts are declared to be in violation of this chapter:

- (1) *Multifamily dwellings.* In the case of multifamily dwelling units, it shall be unlawful to create or permit to be created any noise that exceeds fifty (50) dBA during the hours between 7:00 a.m. to 10:00 p.m. or forty-five (45) dBA during the hours between 10:00 p.m. and 7:00 a.m. daily, measured from a neighbor's dwelling within such multifamily dwelling unit.
- (2) *Construction noise.* No person shall operate or permit to be operated any power-driven construction equipment without a muffler or other noise-reduction device at least as effective as that recommended by the manufacturer or provided as original equipment. Construction equipment that must be operated near a residentially zoned area on a 24-hour-per-day basis (i.e., pumps, well tips, generators, etc.) shall be shielded by a barrier to reduce the noise during the hours of 6:00 p.m. to 7:00 a.m. unless the unshielded noise level is less than fifty-five (55) dBA, measured at the closest adjacent residentially zoned property line.

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(3) *Radios, television sets, exterior loudspeakers and similar devices.* In the case of any radio receiving set, musical instrument, television, phonograph, drum, exterior loudspeaker or other device for the production or reproduction of sound, it shall be unlawful to create or permit to be created any noise that exceeds:

- a. Sixty (60) dBA during the hours between 10:00 a.m. to 10:00 p.m. from the property line of the noise source.
- b. Fifty-five (55) dBA during the hours between 10:00 p.m. to 12:00 a.m. from the property line of the noise source.

Operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph, drum, exterior loudspeaker or other device for the production or reproduction of sound in such a manner as to cause noise disturbance so as to disturb the peace, quiet and comfort of the neighborhood and vicinity thereof; operating any such device between the hours of 12:01 a.m. and the following 10:00 a.m. in such a manner as to be plainly audible across property boundaries or through partitions common to two (2) parties within a building or plainly audible at fifty (50) feet from such device when operated within a public space within a motorboat.

(4) For purpose of subsection (3) above, the term "plainly audible" shall mean any sound produced, including sound produced by a portable soundmaking device, that can be clearly heard by a person using his or her normal hearing faculties at a distance of fifty (50) feet or more from the source. Any law enforcement personnel or citizen who hears a sound that is plainly audible, as defined herein, shall be entitled to measure the sound according to the following standards:

- a. The primary means of detection shall be any means of the complainant's ordinary auditory senses, so long as their hearing is not enhanced by any mechanical device, such as a microphone or hearing aid.
- b. The complainant must have a direct line of sight and hearing to the source producing the sound so that he or she can readily identify the offending source and the distance involved.
- c. The complainant need not determine the particular words or phrases being produced or the name of any song or artist producing the sound. The detection of a rhythmic bass reverberating type sound is sufficient to constitute a plainly audible sound.

(d) *Waivers.* An exception to the noise levels listed in Table 1 may be permitted by the granting of a waiver under circumstances in which the activity creating the noise is of such importance to the public welfare, health or safety that the activity cannot be shut down, even though its noise levels exceed those given in Table 1. Responsibility for the granting of such waivers shall lie with the Lee County Board of County Commissioners, or its designee, when the activity creating such noise is located within the

unincorporated area of Lee County.

(e) *Authority to cite for breach of peace.* Nothing in this chapter shall prohibit the sheriff's department from charging persons responsible for acts which affect the peace and quiet of persons who may witness them for breach of the peace or disorderly conduct under Florida Statutes section 877.03, as may be amended from time to time.

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(Ord. No. 93-15, § 5, 4-21-93; Ord. No. 94-17, § 2, 7-6-94)

Sec. 24 1/4-6. Exceptions.

The following shall be permitted:

(1) An exception to the noise levels listed in section 24 1/4-5, Table 1 shall be permitted in instances where an industry or commercial business had in prior years established its place of business in an area away from a residential development, or rezoning, now finds itself adjoining a residential zone. In instances of this latter nature, the noise ordinance pertaining to industrial-commercial boundaries shall govern and the business shall not be required to meet those noise levels pertaining to residential boundaries.

(2) The operation of warning or emergency signal devices such as sirens, horns and bells when utilized for their intended purpose.

(3) Noises resulting from equipment or operations incidental to the installation, maintenance or repair of facilities or restoration of services, such as public utilities or other emergency activities in the public interest.

(4) Ordinary noise created by the operation of railways and shipping lanes.

(5) Any noise created by the operation of all Lee County Airports.

(6) Noises consistent with cultural, sporting, historical or traditional observances, holidays and ceremonies, parades and concerts; provided, that any event being operated for profit shall obtain a noise permit prior to such event from the Lee County Board of County Commissioners, or its designee, and any other applicable permit to operate such event as required by this county.

(7) Operation of equipment or conduct of activities normal to residential or agricultural communities such as lawn care, soil cultivation, domestic power tools, lawn mowers, maintenance of trees, hedges, gardens, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping and other normal community operations, between the hours of 7:00 a.m. to 10:00 p.m. operation of equipment for solid waste and recycling collection in or adjacent to residential uses between the hours of 6:00 a.m. and 6:00 p.m. and operation of equipment for solid waste collection in nonresidential locations between the hours of 4:00 a.m. and 10:00 p.m.

(8) The lowing of cattle, clucking of fowl, the neighing of horses, the baying of hounds and other normal sounds of reasonably cared for domestic animals.

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(Ord. No. 93-15, § 6, 4-21-93; Ord. No. 96-13, § 2, 7-31-96)

Cross references: Outdoor concerts and special events, Ch. 25.

Sec. 24 1/4-7. Waivers.

(a) Applications for a waiver for relief from the maximum allowable noise level limits designated in this chapter shall be made in writing. Such applications for waivers shall be made to the board of county commissioners or its designee when the activity creating such noise is located within the unincorporated area of Lee County. Any waiver granted by the board, or its designee, must be in writing and shall contain all conditions upon which such permit shall be effective. The board, or its designee, may grant the waiver as applied for under the following conditions:

(1) The board of county commissioners, or its designee, in granting a permit may prescribe any reasonable conditions or requirements they deem necessary to minimize adverse effects upon the community or the surrounding neighborhood.

(2) Waivers from maximum allowable noise level limits may be granted for noises created within an industrial or commercial zone by operations which were in existence on the effective date of this chapter.

(3) Waivers may be issued for no longer than one hundred eighty (180) days, renewable by further application to the board of county commissioners, or its designee.

(b) Any party feeling aggrieved by the denial of its application for waiver by the board, or its designee, may appeal such denial to the board of county commissioners of Lee County, Florida, such appeal to be filed within thirty (30) days from the date of denial.

(Ord. No. 93-15, § 7, 4-21-93)

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Sec. 24 1/4-8. Enforcement.

The Lee County Sheriff is empowered to investigate any situation where a person is alleged to be violating this chapter. If the sheriff encounters a circumstance which reasonably indicates that a person is violating this chapter, he shall administer a sound level pressure test with a sound level meter and ascertain whether a breach of the peace has occurred. If the results of the sound test indicate a violation of this chapter is occurring or has occurred in the presence of the sheriff, the sheriff is thereupon authorized to issue a notice to appear to or arrest the person producing, causing to be produced or allowing to be produced, the sound.

(Ord. No. 93-15, § 8, 4-21-93)

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Sec. 24 1/4-9. Penalties.

Any person or persons, firm or corporation, or any agent thereof who violates any of the provisions of this chapter shall upon conviction be guilty of a second degree misdemeanor and subject to a fine not exceeding the sum of five hundred dollars (\$500.00) or imprisonment in the county jail for a period not exceeding sixty (60) days, or by both such fine and imprisonment. Each separate occurrence of a violation of this chapter shall constitute a separate offense and shall be punishable as such hereunder.

(Ord. No. 93-15, § 9, 4-21-93)

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Sec. 24 1/4-10. Civil remedies.

In addition to the criminal penalties provided in section 24 1/4-9 of this chapter, the board of county commissioners is hereby authorized to institute any appropriate action or proceeding including suit for injunctive relief in order to prevent or abate violations of this chapter.

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(Ord. No. 93-15, § 10, 4-21-93)

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Sec. 24 1/4-11. Areas embraced.

All territory located within the unincorporated area of Lee County, Florida, shall be embraced by the provisions of this chapter.

(Ord. No. 93-15, § 11, 4-21-93)

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Professional Resume / Qualifications

Bernard Kinney Jr., INCE

Principal Acoustical Engineer



Professional Credentials

Bachelor of Science
Oceanographic
Technology
FIT-1986

FDOT Noise Task Team
Member Appointed 1994

Full Member of the
Institute of Noise
Control Engineering

Basis for Team Selection

12 Years of Experience
in the Field of
Environmental Acoustics
Specializing in
Transportation and
Construction Noise and
Vibration.

Qualified Expert Witness
in Transportation Noise
and Vibration for the
FDOT, the OOCEA and
the JTA.

Significant knowledge of
the PD&E process
related to
Transportation Noise
and Vibration

Extensive Public and
Community Involvement
experience

Located in Boca Raton,
Florida

Experience

Mr. Kinney has over 12 years of experience in the field of environmental acoustics. Mr. Kinney has been responsible for the successful completion of numerous large-scale transportation and construction noise monitoring projects for the Florida Department of Transportation. Mr. Kinney has also served as an expert witness in the field of transportation and construction noise for the Florida Department of Transportation District IV, the Orlando Orange County Expressway Authority and the Jacksonville Transportation Authority. Mr. Kinney is a current member of the Florida Department of Transportation Noise Task Team and is a Full Member of the Institute of Noise Control Engineering.

- **2003-** St. Johns Bluff Construction Noise Impact Analysis / Florida Department of Transportation District II Construction. This analysis focused on a real time octave band distance relationship noise impact analysis in order to establish compliance with the City of Jacksonville Noise Ordinance. This study established worst case potential noise impacts at distances of 50 feet to 450 feet from the study corridor in order to determine the appropriate noise abatement measures. The placement of an Acoustical Blanket provided a significant noise reduction and allowed the construction project to proceed as scheduled. Client: FDOT District II / Hal Jones Contractor, Project Manager: Tom Woods
- **2003-** Jacksonville Transportation Authority (JTA) / Wonderwood Connector Eminent Domain Right of Way Taking Expert Witness Analysis. This analysis focused on a real time distance relationship noise impact analysis along various segments of the Wonderwood Connector in Jacksonville, Florida. This study established worst case potential noise impacts at distances of 50 feet to 200 feet from the study corridor in order to determine if future noise impacts would warrant potential noise barrier placement. A future comparative analysis was also conducted at similar distances along San Jose Boulevard in Jacksonville, Florida. The results of this analysis will be utilized for Jury Trial Proceedings. Client: JTA/ Lewis, Longman and Walker, Project Manager: W.O. Birchfield
- **2003-** SR 807 / Congress Avenue PD&E Corridor Analysis / Florida Department of Transportation District IV. The results of this analysis will be utilized to determine if potential noise abatement measures such as concrete noise barriers will be necessary as a result of a capacity expansion of the project corridor. Both field measured noise levels and Computer Modeled (TNM Version 2.0) noise levels will be utilized to determine if potential noise abatement measures are both reasonable and feasible. Client: FDOT District IV/ Carter Burgess, Project Manager: Karl Peterson

Bernard Kinney Jr., INCE

Principal Acoustical Engineer

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- **2003-** SR 438 / Dillard Street to Clark Road PD&E Re-Evaluation Corridor Analysis / Florida Department of Transportation District V. The results of this analysis will be utilized to determine if potential noise abatement measures such as concrete noise barriers will be necessary as a result of a capacity expansion of the project corridor. Both field measured noise levels and Computer Modeled (TNM Version 2.0) noise levels will be utilized to determine if potential noise abatement measures are both reasonable and feasible. Client: FDOT District V / E Sciences, Project Manager: James Bassett
- **2002-** Orlando Orange County Expressway Authority (OOCEA) / SR 417 Eminent Domain Right of Way Taking Expert Witness Analysis. This analysis focused on a real time distance relationship noise impact analysis along various segments of SR 417 in Orange County. This study established worst case potential noise impacts at distances of 50 feet to 600 feet from the study corridor in order to determine if future noise impacts would warrant potential noise barrier placement. The results of this analysis will be utilized for Jury Trial Proceedings. Client: OOCEA/ Broad and Cassel, Project Manager: Richard Millian
- **2001-** I-95 HOV Lanes Re Evaluation Noise Impact Analysis, Palm Beach County, Florida/ Florida Department of Transportation District IV. Project Engineer for the \$35M construction project to re evaluate previous commitments related to noise barrier placement associated with the new High Occupancy Vehicle (HOV) lanes for I-95 in southern and northern Palm Beach County. The study included an extensive field insertion loss (noise reduction) analysis and a vertical array noise impact analysis along the southern corridor of I-95. Client: FDOT District IV, Project Manager: Dr. Ken Campbell
- **2001-** Noise and Vibration Study for Cypress Bend Condominiums, Broward County, Florida / Florida Department of Transportation District IV. Responsible for conducting nighttime simultaneous real time octave band analysis and ground borne vibration analysis to establish the potential impact associated with the CSX Freight Train Movement adjacent to the Cypress Bend Condominiums. The results of the study were utilized to determine if the Florida Department of Transportation would be required to provide potential noise abatement to this residential community adjacent to the rail corridor. Client: FDOT District IV and Panamerican Consultants. Project Manager: Richard Estabrook
- **2000-** JEB v. The Florida Department of Transportation, St. Lucie County, Florida. Responsible for serving as an Expert Witness in the field of transportation/construction noise and vibration for the District IV General Counsels Office. The law suit or claim was seeking one million dollars for business damages and equipment damages to the Jacksonville Educators Broadcasting Facility as a result of the construction of SR 615. The claim was also seeking damages associated with the future traffic noise impacts along the SR 615 corridor. The claim proved to be frivolous and was settled for \$ 125,000. Client: FDOT District IV General Counsel Office, Project Manager: Stephen King

Bernard Kinney Jr., INCE

Principal Acoustical Engineer

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- **1999-** FAU / FDOT District IV Pile Driver Noise Impact and Insertion Loss Analysis Florida Atlantic University, Boca Raton, Florida. Project Engineer for the joint FAU/FDOT research project associated with reasonable and feasible noise abatement measures associated with steel and concrete pile driving operations located directly adjacent to noise sensitive residential communities. The analysis utilized a two-leg array of sound level meters at specific heights as well as real time octave band analysis to evaluate various types of pile driver acoustical blankets. Client: FAU / FDOT District IV, Project Manager: Dr. Ken Campbell
- **1998-** Chaval Communities Construction Noise Impact Analysis, Hillsborough County, Florida / Florida Department of Transportation Turnpike District. Responsible for the evaluation of nighttime construction noise impacts associated with the construction of the Sunshine State Parkway. Due to the magnitude of the construction noise impacts, the Hillsborough County Environmental Protection Commission was prepared to implement a cease and desist order against the contractor and the Turnpike District. The results of the nighttime construction noise impacts indicated that certain operations could only take place during the daytime hours. Client: FDOT Turnpike District, Project Manager: Parsons Brinckerhoff Construction Services
- **1997-** The 17th Street Causeway Construction Noise Monitoring Program/ Florida Department of Transportation District IV. Project (Acoustical) Engineer for the 17th Street Causeway Construction Noise Monitoring Program. Responsible for the development and implementation of this extensive five-year construction noise monitoring program. The construction noise-monitoring program focused on both manned and unmanned continuous noise monitoring of the construction noise impacts for the duration of the bridge construction. The construction noise-monitoring program also contained a public involvement component in which the Acoustical Engineer was responsible for responding to the noise related complaints. Client: FDOT D4. Project Manager: Dr. Ken Campbell
- **1993-** Interstate 95 (I-95) Noise Impact Inventory Report, PD&E Study, Dade County, Florida / Florida Department of Transportation District VI. Project Manager and Project Engineer for this extensive four year Highway Traffic Noise Impact Analysis for the eighteen mile I-95 Study Corridor located in Dade County, Florida. This analysis included the placement of noise barriers along both the existing right-of-way and on existing bridge structures. The results of this analysis recommended an 18 million-dollar noise abatement program for the placement of 48 noise barriers along the study corridor. The public involvement program consisted of four public workshops that were conducted in both English and Spanish. Client: FDOT District VI, Project Manager: Barbara Culhane



Lotspeich and Associates, Inc.
ECOLOGICAL CONSULTANTS

KARL G. LOTSPEICH - VICE PRESIDENT

BACKGROUND

Karl Lotspeich is a Principal with Lotspeich and Associates, Inc. and has been in the ecological consulting field since 1988. He has conducted preliminary land use assessments, wetland delineations, and listed species evaluations for over 300 sites throughout Florida. He has conducted all levels of ecological impact assessments including Florida Department of Transportation (FDOT) Project Development and Environmental (PD&E) studies and documentation for National Environmental Policy Act (NEPA) Environmental Impact Statement and Environmental Assessment studies.

Mr. Lotspeich is also a recognized qualified expert witness in wetland ecology, plant communities, and threatened and endangered species habitat requirements. He has developed mitigation/compensation programs for over 50 projects throughout Florida, including the restoration scheme for a 200 acre site in South Florida and a 120 acre site in Central Florida. He is knowledgeable in the application of ecological evaluation techniques including: Wetland Rapid Assessment Procedures (SFWMD, 1996 Draft), Hydrogeomorphic Classification for Wetlands (USACE-1993), Wetland Assessment Techniques (FDOT), and Habitat Evaluation Procedures (USFWS).

ACADEMIC BACKGROUND

Bachelor of Science, Agriculture, University of Florida, 1988. College of Agriculture, Department of Ornamental Horticulture

PROFESSIONAL AFFILIATIONS

National Association of Environmental Professionals
Florida Association of Environmental Professionals
Association of Eminent Domain Professionals
Florida Planning and Zoning Association
Orange County Bar Association - Environmental Land Use Section
Volusia County Association for Responsible Development
Home Builders Association of Mid-Florida
Orange County Governmental Affairs Committee

CERTIFICATIONS

- ❖ U.S. Army Corps of Engineers: Certified Wetland Delineator
- ❖ U.S. Fish and Wildlife Service: Habitat Evaluation Procedures
- ❖ Florida Fish and Wildlife Conservation Commission: Gopher Tortoise Relocation
- ❖ Florida Department of Transportation: PD&E



KARL G. LOTSPEICH - RELATED EXPERIENCE

ROADWAY/CORRIDOR STUDIES

- FDOT Miscellaneous Design Services (Multiple Contracts), District 5
- Markham Woods Road Widening, Seminole County
- S.R. 436 PD&E and Final Design, Orange County
- East Orange County Transportation Needs Study
- Clarcona/Ocoee RCA Study, Orange County
- Interstate 4/C.R. 46A Interchange, Seminole County
- Winter Garden-Vineland Rd (C.R. 535), Orange County
- McCulloch Road Force Main, Seminole County
- East Lake Mary Boulevard (City limits to Airport Entrance Road to State Road 46)
- Rouse Road RCA and Final Design, Orange County
- Edgewater Drive RCA, Orange County
- East-West Connector RCA, Orange County

PERMITTING, MITIGATION SERVICES, AND/OR PERMIT COMPLIANCE

- Ormond Lakes, Volusia County
- River Oaks Reserve, City of Oviedo, Seminole County
- Lake Mary Neighborhood Shopping Center
- Live Oak Reserve, City of Oviedo
- The Plantation D.R.I., Seminole County
- USACE - Florida Mitigation Banking Study, Statewide

GOPHER TORTOISE MANAGEMENT AND GENERAL PROTECTED SPECIES COORDINATION

- Moss Park Gopher Tortoise Relocation Study
- World Gateway D.R.I., Gopher Tortoise Incidental Take permit (65 acre habitat)
- University of Central Florida Athletic Field
- Orange Lake Country Club D.R.I., Gopher Tortoise/T&E Species Surveys
- World Gateway D.R.I., Red-cockaded woodpecker Survey/Management Plan
- Westland Terrace, Gopher Tortoise and Scrub Jay Survey, Incidental Take Permits

GENERAL ENVIRONMENTAL

- SFWMD Natural Areas Inventory, RFP C-9306
- Lake Mary Neighborhood Shopping Center
- Orlando Naval Training Center - Urban Design Contract
- SFWMD-General Service Contract/Continuing Services
- Orange County Eminent Domain, Expert Witness Testimony
- East Orange County Transportation Needs Study
- Southeast Orlando Sector Plan
- Lynx Corridor Alignment Studies (Northern and Southern)
- Northeast Jacksonville Vision Plan, Duval County
- Northwest Jacksonville Vision Plan, Duval County
- Brannan Field Master Development Plan, Clay County

TRIP GENERATION COMPARISON ESTERO GOLF RESORT

Table 1
Trip Generation
As Approved (MPD 1-4)
320,000 square feet retail/20,000 square feet office

Land Use	Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	
Retail (320,000 s.f.)	650	700	1,350	14,465
Office (20,000 s.f.)	5	25	30	385
Total	655	725	1,380	14,850

Table 2
Trip Generation
Proposed Amendment (MPD 1 & 3)
228,000 square feet Wal-Mart/20,000 square feet Retail

Land Use	Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	
Wal-Mart (228,000 s.f.)	445	460	905	12,925
Retail (20,000 s.f.)	105	110	215	2,385
Total	550	570	1,120	15,310

Source: Institute of Transportation Engineer's (ITE) Trip Generation Report, 7th Edition

From: Estero Country Club
To: Controller
Date: 8/25/2004 1:43:05 PM
Subject: From the Vines Community Association

Wal-Mart Rezoning Hearing

Friday, August 27 at 9 am
County Community Development Building
1500 Monroe Street, Fort Myers

The Vines Community Association voted to support the Estero Council of Community Leaders position on allowing Wal-Mart to build a super center next to us. In short we support the new store.

In order for Wal-Mart to be able to build the store the property needs to be rezoned. This meeting is the first step in rezoning process. This is a very important meeting. A show of force from the Vines will help convince the hearing examiner to recommend approval of the rezoning application.

Without Wal-Mart we will not get our access road to Estero Parkway. As President of the Vines Community Association, I urge you to attend this meeting regardless of your position on the issue.

Ronald D. Greenlee
Vines Community Association

The remainder of this email is from Don Eslick, Chairman of the Estero Council of Community Leaders.

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store— Costco, Target, Home Depot, Lowe's etc. — that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

file:///C:/Documents%20and%20Settings/Gladys%20Beron/Local%20Settings/Temp/676R.. 8/26/2004

Beron
EXHIBIT # 1
DL17003-00058

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed, the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

- send us an email now indicating your support for the ECCL's position on the Estero Parkway Wal-Mart rezoning; and
- join us on Friday at the Hearing so that the Hearing Examiner will not be misled into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

Thanks for all your help.

Estero Development Report Articles
Documenting Community Review of
The Proposed Estero Parkway Wal-Mart

March 2003

Wal-Mart by The Vines— On March 3rd representatives of Wal-Mart Corporation made a presentation to a large group of Vines residents at The Vines Golf and Country Club. At the meeting Wal-Mart indicated that they had not purchased the 33 acre parcel immediately to the south on the northwest corner of Koreshan Boulevard and US 41 but had a contract to purchase that property from Keystone Communities. Wal-Mart is proposing to build a 208,000 square foot super center (including a grocery store) on that site along with 17,000 square foot on two outlots along Koreshan Boulevard for a total of 225,000 square feet. Present zoning on the property permits as much as 300,000 square feet of retail space and 20,000 of office space.

The proposed building would not be the usual Wal-Mart design but would use "Costal Mediterranean" architecture. In addition the proposal would orient the front of the building toward the west so that the loading areas would not be immediately adjacent to The Vines; would include internal loading docks; substantial setbacks and buffering along the northern perimeter of the property; lower lighting standards in the parking lots closer to The Vines in order to minimize the project's impact on The Vines. Finally, the proposal included an access road south from The Vines through the Wal-Mart parking lot in order to provide Vines residents with an alternate exit to south US 4, rather than the unlighted exit at the entrance to The Vines.

The residents of The Vines expressed numerous concerns about the project at the meeting including the following:

- the impact that the traffic generated by the store would have on their ability to exit from The Vines southbound on US 41;
- the increased traffic that might be attracted to their entrance by the access road proposed by the developer;
- the 24 hour per day, seven day per week operation of the store and the noise and other pollution that this would cause their community;
- increased crime resulting from the 24 hour per day operation of the store in such close proximity;
- noise from delivery trucks entering and leaving the property at all hours of the night;
- the impact that such a store would have on property values in The Vines;
- parking of trucks on the premises to provide seasonal storage;
- Wal-Mart's reputation for not keeping their parking lots clean, thus having lots of trash blowing around and for permitting recreational vehicles to park overnight in their parking lots.

Wal-Mart's representatives have indicated that they will soon be seeking to make a presentation on the proposed project to the entire Estero community under the auspices of the ECPP. After receiving this community input Wal-Mart will decide how to proceed with the project.

April 2003

The May Estero Community Planning Panel Meeting— The meeting of the ECPP scheduled for May 12th will consider a zoning application for the Tucker Property, a 10 acre orange grove site on the northwest corner of Three Oaks and Williams Road, from agriculture to Commercial Planned Development. Representatives of the Wal-Mart Corporation may also present a proposal for construction of a 208,000 Wal-Mart superstore on the northeast corner of US 41 and Koreshan Boulevard. This presentation has been discussed but the date had not been confirmed when this EDR went to press.

June 2003

Wal-Mart—The next big zoning matter for Estero is the proposed Wal-Mart superstore. On June 9th representatives of the Wal-Mart Corporation voluntarily presented a preliminary proposal to obtain input from the Estero community at a meeting hosted by the ECPP. The proposed project calls for construction of a 208,000 Wal-Mart superstore and 20,000 of outlot space on 33 acres located on the northeast corner of US 41 and Koreshan Boulevard, just south of The Vines; across US41 from Breckenridge and just west of an unnamed future multi-family housing development.

Earlier Wal-Mart's representatives made a similar presentation to the residents of The Vines. Wal-Mart has also had its representatives participate actively in the ECPP's efforts to develop big box standards for Estero. At these hearings numerous concerns have been expressed by residents of The Vines and other Estero communities.

The project presented to the ECPP meeting tried to address some of the concerns of the Vines residents through the placement of the building on the site and the buffering to be provided between the store and the nearest homes in the Vines. Five non-traditional architectural designs were also presented as possibilities.

Residents of the Vines identified a Wal-Mart store in Coral Springs that appears to be the "top of the line" Wal-Mart store from an appearance perspective. Consequently, several members of the ECPP, the Vines and other community leaders traveled to Coral Springs to meet with the City's staff and appearance committee and to view the store. The store has a Mediterranean design with covered walkways along all sides of the building adjacent to parking. The perimeter of the site contains wide, bermed and heavily landscaped buffers. The parking lots are frequently divided by landscaped walkways extending from the perimeter buffer to the front of the store. The store was not located near any residential property and was adjacent to major roadways that mitigate any traffic problems created by the store.

The following is a list of the issues that have been raised by Estero residents at the public hearings:

Transportation Issues

- Volume of Traffic (10,000 movements per day)
- Inadequacy of 4 lane US 41 at least until 2008 or 2009 and the timing of the opening of the project
- Financial support for accelerating US 41 widening
- Safety concerns about the proposed right-in right-out entrance and possible left in turn lane on US 41 at time of US 41 widening

- Traffic Light at Koreshan
- Location of Principal Koreshan Blvd entrance

Site and Appearance Issues

- Use of outlots
- Type and size of buffering between parking lots and US 41 and Koreshan
- Demassing of the Building and using architecture to improve its appearance
- Demassing of Parking Lots—breaking them with entrance roads; sidewalks and landscaping
- Providing good and safe pedestrian circulation
- Increased open space
- Other "Big Box" standards
- Tire battery etc consistency with earlier gas station action of BOCC

Wal-Mart Requested Zoning Changes

- 24-7 operation on Parcel 1 (and its impact on crime and noise)
- Increased Signage
- Outdoor sales and display (and storage and storage creep)
- Lower the existing delivery restrictions
- Site design changes, notably combined 60 degree and 90 degree parking

Operational Issues

- Maintenance, clean-up and cart issues
- RV overnight parking
- Continuous use of containers on the property
- Auto shows
- Sidewalk sales

Vines Specific Issues

- Traffic problems exiting The Vines onto US 41
- Entrance road
- Vines buffering strategy and lake and wall versus wall and lake
- Noise especially from delivery trucks
- Pollution
- Light intrusion

August 2003

Wal-Mart -- Representatives of Wal-Mart presented their rezoning proposal to the ECPP at their July meeting. This 228,000 square foot super-store project would be located on the northeast corner of US 41 and Koreshan Boulevard. About 100 Estero residents raised many issues concerning the proposal. Wal-Mart is required by the Estero Community Plan to file a report with Lee County reporting all the issues raised by the community at the meeting and specifying how they will respond to each of them. The developers rezoning application is not complete without this report. Wal-Mart recently completed this report but has not yet filed its application with the County.

September 2003

Wal-Mart Rezoning

During September, Wal-Mart filed their application for rezoning the 33 acre site on the northeast corner of Koreshan and US 41. They would like to use the property to build a 208,000 square foot superstore and about 20,000 square feet of retail in two outlots. The application has been reviewed by County staff and in a letter dated September 19, 2003 it was found to be insufficient. The developer has 60 days to provide the county with the information requested in this letter. A second sufficiency review typically follows before county staff and the developer begin discussions on the issues raised by the project.

Meanwhile, on September 10th, Wal-Mart presented its proposal for the site to the Estero Design Review Committee (ERDC). The ERDC raised numerous questions and made many suggestions regarding the development plan, particularly the landscaping component. A summary of the ERDC comments and suggestions follows:

- The EDRC suggested that Live Oaks be used over Laurel Oaks to reflect a more adequate buffer to adjacent uses and that the developer verify that a Southwest Florida seed source has been used for the Laurel Oaks. The use of Laurel Oaks around retention ponds is o.k.
- The proposed plan states that it provides minimum code trees but the documentation neither meet the intent articulated by the Applicant nor the renderings presented. The Committee found the Applicant's landscape plan to be unacceptable.
- Larger oaks (minimum 45-gallon trees suggested) for north and east berms.
- The proposed plan does not meet county minimum Building Perimeter Landscaping specifications (not even close) and was not acceptable to the Committee.
- The EDRC suggested additional Sabal Palms on the north and south sides of buildings with staggered heights and greater density of Sabals in order to better buffer between the building and the adjacent Vines Community.
- The EDRC suggested an increase in density of Live Oaks along the north berm (both sides of wall) to achieve the intent articulated by the Applicant and shown on the rendering.
- The Committee does not support the use of Magnolias in the parking lot. It suggests that Shady Lady Black Olive, Mahogany and/or Live Oaks should be planted instead.
- The EDRC suggested that a larger variety of shrub plant materials be used on the project (only 6 shrub types are shown on the plan).
- The Committee requested that the Applicant provide sidewalks in all medians of the parking lot leading to the building. One bay of parking

could be eliminated by providing a five foot wide walkway between each parking median leading to the building while still providing more than the County required parking. The Committee's opinion is that this is necessary for the project to achieve the necessary pedestrian linkages defined by the Estero Overlay.

- The Committee strongly felt that the importance of public safety through the use of adequate pedestrian circulation far outweighs the need for parking that exceeds county standards. More adequate use of pedestrian linkages within the site is necessary.
- The EDRC suggested that Ash/trash receptacles be installed in medians close to pedestrian walkways.
- The committee suggested that fountains be added to the rear and north-side lake(s) for noise abatement for the surrounding residential communities.
- The Committee was pleased with and supported the revised architecture, especially the 8' wide covered walk across the full front of the building.
- The public asked about trucks, noise, etc. Applicant indicated that it is making efforts to better abate all sound produced by the project.
- The public requested taller walls around the truck bays. The Applicant indicated that they would look into building the truck-bay walls two feet higher than specified.

The Estero Council of Community Leaders has appointed a Wal-Mart sub-committee to study the developer's application and documentation, to discuss all issues with county staff and to prepare a draft position paper to be used for discussion with the developer and county staff.

October 2003

Wal-Mart — As reported last month Wal-Mart presented a revised development plan to the EDRC on September 10th and received numerous suggestions for improvement from the committee and the public. In response to those suggestions during October Wal-Mart transmitted another revised plan to the EDRC. These changes will be discussed by the EDRC at their meeting on Wednesday, November 12th starting at 5 p.m. at the clubhouse at The Vines. The EDRC's comments and suggestions at this meeting will be used by the Estero Council of Community Leaders Wal-Mart committee as they prepare for discussions with Wal-Mart later in the rezoning process.

December 2003

Wal-Mart Zoning Progress

According to County staff the Wal-Mart zoning application is still not complete. As soon as it is complete and staff has had a chance to thoroughly review it, the ECCL's Wal-Mart committee will meet with them again, meet to develop a position paper for the community and schedule a meeting between Wal-Mart and the Council of Community Leaders to negotiate the issues.

January 2004

Koreshan Wal-Mart Progress Report --- during January Lee County zoning staff found Wal-Mart's zoning application to be complete enough to set a date for a public hearing by a County Hearing Examiner on April 1, 2004. If approved by the County Wal-Mart would be able to construct a 208,000 square foot super Wal-Mart on the northeast corner of Koreshan Boulevard and US 41. Super Wal-Mart's contain a large grocery operation and a tire-lube facility in addition to the general merchandise stocked by all Wal-Mart stores. The application also would authorize one additional store on an outlot located directly on the corner of US 41 and Koreshan.

The Need to Widen US 41

County transportation staff have indicated to Wal-Mart that the store cannot receive a development order (DO) nor begin construction until the segment of US 41 adjacent to the store has been programmed and budgeted for 6-laning within three years of the issuance of that DO. At present this segment of US 41 is not programmed until state fiscal year 2008-09 which begins in October 2008. As a consequence Wal-Mart has offered to pay the interest on a County low interest loan to Florida DOT that would permit the programming of this segment to be accelerated by two years to fiscal 2006-07. Although the County would very much like to accelerate construction of this road segment such a commitment cannot legally be tied to the zoning. Consequently the proposal has not been accepted by the County and may not be resolved until the zoning process has been completed, probably in May, June or July.

Forthcoming Zoning Discussions

Meanwhile the Wal-Mart Committee of the Estero Council of Community Leaders (ECCL) has met with County zoning staff to learn about the latest changes in the development plan and to discuss its concerns. Wal-Mart has offered to provide the committee with a briefing on its zoning request and its Development Order application, now that both have been filed with the county. This meeting is expected to be scheduled for early February. After that meeting the Council of Community leaders will review all the outstanding issues and prepare for a negotiating session with Wal-Mart. After that meeting the ECCL will decide how they will testify at the Hearing Examiner's hearing on April 1st and later before the Board of County Commissioners.

Wal-Mart has also been meeting with the leaders of The Vines regarding a possible private south access road to that community from Koreshan Boulevard. Such a road

would permit Vines residents to go south on US 41 without having to use the dangerous existing US 41 intersection.

February 2004

Koreshan Wal-Mart Progress Report -- late in January Lee County zoning staff found Wal-Mart's zoning application to be complete enough to set the date for a public hearing by a County Hearing Examiner on April 1, 2004. If approved by the County Wal-Mart will be able to construct a 208,000 square foot super Wal-Mart on the northeast corner of Koreshan Boulevard and US 41. Super Wal-Mart's contain a large grocery operation and a tire-lube facility in addition to the general merchandise stocked by all Wal-Mart stores. The application also would authorize one additional store on an outlot located directly on the corner of US 41 and Koreshan.

On February 12th the Wal-Mart Committee of the Estero Council of Community Leaders met with Wal-Mart's representatives and experts for a briefing on the zoning and Development Order (DO) applications found "sufficient" by county staff. In addition to the briefing, Wal-Mart addressed in detail the 37 issues contained in "Wal-Mart Issues Raised by the Community", dated July 12, 2003, that was submitted to Wal-Mart when they made their presentation to the ECPP. As its title implies the issue paper incorporates all the questions and concerns raised by Estero residents at several community meetings on the proposed project.

At this meeting, Wal-Mart addressed all the issues raised by the community, committed to substantial concessions and agreed to change their zoning application accordingly. Major commitments are as follows:

- Eliminated their request for outdoor displays and sales
- Eliminated their request for outdoor storage
- Significantly increased landscaping
- Significantly improved noise abatement
- Significantly reduced truck delivery times
- Committed to a property maintenance "Bond"
- Committed to no blasting
- Site lighting complies with Lee County's new lighting ordinance
- Agreed to prohibit auto shows and parking lot special events.

Copies of Wal-Mart's presentation have been distributed to all the member of the CCL and are available by email upon request. The meeting was monitored by Jerry Murphy, the County Zoning staff member assigned to the project.

In earlier meetings Wal-Mart had agreed to store design and architecture sought by the EDRC and the community and had eliminated some outlots that they had originally sought. Separately Wal-Mart has agreed to provide The Vines community with a private entrance road that will provide Vines residents with direct access Koreshan Boulevard. This gated facility will allow Vines residents to travel south on US41 using the signal at Koreshan rather than having to use the dangerous intersection at their main entrance.

The Committee thanked Wal-Mart for their extensive effort to address the community's concerns and established a schedule for negotiations after the Committee files their

report with the Council of Community Leaders (CCL) and the CCL finalizes their position paper on the project.

On February 13th the Wal-Mart Committee made a progress report to the CCL. On February 16th the Committee met to discuss their recommendations to the CCL and on February 18th met with Al O'Donnell, a knowledgeable landscaper with extensive experience in southwest Florida and member of the EDRC, to discuss Wal-Mart's detailed landscape proposals. The Committee then developed a draft position paper and circulated it to the CCL for their comments and approval. This process is now almost complete. The position paper will be provided to Wal-Mart in time for them to prepare for a discussion of all outstanding issues with the CCL tentatively on March 8th.

After this meeting the CCL will decide what testimony it will present at the April 1st public hearing conducted by a Lee County Hearing Examiner. Only persons and organizations testifying before the Hearing Examiner are permitted by law to make presentations to the BOCC when they make the final zoning decision on the project. The Board's final decision is expected to be scheduled in May or June after the Hearing Examiner has completed his report and the matter is added to the BOCC's agenda.

If Not Wal-Mart, What?

This property is zoned for 320,000 square feet of retail and 20,000 square feet of office space. As with most "bubble plans" the number of possible retail uses is almost endless. Fortunately for the community the existing zoning limit the hours of operation on a parcel that Wal-Mart would otherwise be able to operate on a 24/7 basis. That is the primary reason that Wal-Mart is seeking to rezone the property. Any other "big box" user or combination of retail users that do not require 24/7 operation would not need to rezone the property and thus would not need to work with the community as Wal-Mart has these last 9 months.

All that those users would be required to do is to present their site plan and design to the EDRC for advisory review and file the necessary report with the county as part of their application for a DO. They would be subject to the same "Concurrency" requirements as are discussed below, but the only opportunity for community participation would be that one EDRC meeting.

The Widening of US 41

Present plans call for the six-laning of all segments of US 41 between Naples and Ft. Myers to be completed by the end of 2005 except the segment between San Carlos Park and Corkscrew Road, which is now scheduled for 2010. The Estero community has been working with FDOT and Lee County for several years to accelerate the 6-laning of this segment of US 41.

Jointly we have now achieved funding for the first two phases necessary for the widening. The County loaned the State about \$2.3 million so that the design could begin last year. FDOT was able to obtain a \$7 million loan from the State Infrastructure Bank so that right-of-way acquisition could begin later this year and permitting soon thereafter. All parties worked together last year to get the Metropolitan Planning Organization to add \$17 million for construction of the road in 2008-09 to its five year funding plan.

As things stand today, widening the road could begin in the fall of 2006 but the \$17 million needed to pay for it is not available until July 1, 2008, a gap of nearly two years.

As you know Wal-Mart has offered to pay the interest on a low cost County loan to the State that would permit the widening to start in 2006 instead of 2008. This offer need not and cannot legally be considered by the County until after Wal-Mart is zoned. Because traffic on this segment of US 41 is so bad, with or without Wal-Mart, Florida's "Concurrency" law prohibits Wal-Mart, or anyone else, from obtaining a Development Order (DO) allowing construction to start on the project until July 1, 2005, the first date that is within three years of the funding for construction of the road becoming available.

Before Wal-Mart can obtain a DO they must also obtain a "Concurrency Certificate" from the County. Before the County can issue a Concurrency Certificate the Metropolitan Planning Organization must advance the US 41 construction funding in their five-year road budget and FDOT must amend their work program to reflect the accelerated widening of this segment of US 41. Should Wal-Mart obtain zoning approval by the BOCC, then, and only then, can the loan possibility be discussed and subsequently approved by the County, the MPO and FDOT. Once this process is complete the County can issue its Concurrency Certificate, DO and building permits and construction can commence.

As a result of comments from Estero representatives, the BOCC has directed staff to evaluate the possibility of the County advancing the funds for the State's construction phase, independent of Wal-Mart or any other developer currently seeking zoning approval. The County's Budget Services Department and the County Attorney's Office are currently preparing that evaluation, which includes potential costs to the County, and will be reporting back to the Board in the near future.

March 2004

Koreshan Wal-Mart Progress Report

If the zoning and Development order (DO) applications are approved by the County, Wal-Mart will be able to construct a 208,000 square foot super Wal-Mart on the northeast corner of Koreshan Boulevard and US 41. Super Wal-Mart's contain a large grocery operation and a tire-lube facility in addition to the general merchandise stocked by all Wal-Mart stores. The application also would authorize one additional store on an outlot located directly on the corner of US 41 and Koreshan.

On February 12th the Wal-Mart Committee of the Estero Council of Community Leaders met with Wal-Mart's representatives and experts for a briefing on the zoning and Development Order (DO) applications found "sufficient" by county staff. In addition to the briefing, Wal-Mart addressed in detail the 37 issues contained in "Wal-Mart Issues Raised by the Community", dated July 12, 2003, that was submitted to Wal-Mart when they made their presentation to the ECPP. As its title implies the issue paper incorporates all the questions and concerns raised by Estero residents at several community meetings on the proposed project.

At this meeting, Wal-Mart addressed all the issues raised by the community, committed to substantial concessions and agreed to change their zoning application accordingly. Major commitments made on February 12th are as follows:

- Eliminated their request for outdoor displays and sales
- Eliminated their request for outdoor storage
- Significantly increased landscaping
- Significantly improved noise abatement
- Significantly reduced truck delivery times
- Committed to a property maintenance "Bond"
- Committed to no blasting
- Site lighting complies with Lee County's new lighting ordinance
- Agreed to prohibit auto shows and parking lot special events.

The meeting was monitored by Jerry Murphy, the County Zoning staff member assigned to the project.

In earlier meetings Wal-Mart had agreed to store design and architectural changes sought by the EDRC and the community and eliminated some outlots that they had originally planned. Separately Wal-Mart has agreed to provide The Vines community with a private entrance road that will provide Vines residents direct access to Koreshan Boulevard. This gated facility will allow Vines residents to travel south on US 41 using the signal at Koreshan rather than having to use the dangerous intersection at their main entrance.

On February 13th the Wal-Mart Committee made a progress report to the CCL. On February 16th the Committee met to discuss their recommendations to the CCL and on February 18th met with Al O'Donnell, a knowledgeable landscaper with extensive experience in southwest Florida and member of the EDRC, to discuss Wal-Mart's detailed landscape proposals. The CCL approved a position paper dealing with the following unresolved issues:

- o Further restricted the delivery hours;
- o The timing of outlot buffering and landscaping;
- o Specification of the store operations agreement and bond to include code compliance; cleanliness rules and procedures; security provisions and landscaping maintenance; and periodic inspections;
- o Prohibit temporary signs throughout the site;
- o Cooperate to prohibit right turn on red on Koreshan at US 41;
- o Limit compacting pick up and delivery hours;
- o Require outlot purchaser to work with FGCU to install a western university "gateway" feature on the corner;
- o Greatly increase the size and intensity of trees and plants in front of the store; in the parking lots and in the street side buffers;
- o Increase the width and height of the roadside buffers and intensify the trees and plantings located therein;
- o Provide landscaped sidewalks to the store in large enough numbers to break up the parking lot and provide safer access to the store;

The approved position paper was provided to Wal-Mart so that they could negotiate them with the CCL on March 8th. At that meeting Wal-Mart agreed to most of these community positions. The CCL asked Wal-Mart to update the list of agreed zoning conditions, the Master Concept Plan and the Landscape Plan for the project. Wal-Mart updated these documents and transmitted them to the Wal-Mart Committee about March 19th. The Wal-Mart Committee met on March 30th to review these documents incorporating all the negotiated changes in the project. Upon summarizing the results of this meeting and obtaining the approval of the CCL, Wal-Mart was asked to provide more detail on their landscape plans, make two changes in proposed parking and delivery provisions and further enhance four landscape elements. Wal-Mart has yet to respond to the latest CCL request.

Once these issues are resolved County zoning staff can proceed to prepare their report and set the date for the Hearing Examiner public hearing. Only persons and organizations testifying before the Hearing Examiner are permitted by law to make presentations to the BOCC when they make the final zoning decision on the project.

If Not Wal-Mart, What?

This property is zoned for 320,000 square feet of retail and 20,000 square feet of office space. As with most "bubble plans" the number of possible retail uses is almost endless. Fortunately for the community the existing zoning limit the hours of operation on a parcel that Wal-Mart would otherwise be able to operate on a 24/7 basis. That is the primary reason that Wal-Mart is seeking to rezone the property. Any other "big box" user or combination of retail users that do not require 24/7 operation would not need to rezone the property and thus would not need to work with the community as Wal-Mart has this last year.

All that those users would be required to do is to present their site plan and design to the EDRC for advisory review and file the necessary report with the county as part of their application for a DO. They would be subject to the same "Concurrency" requirements as are discussed below, but the only opportunity for community participation would be that one EDRC meeting.

The Widening of US 41 -- Present plans call for the six-laning of all segments of US 41 between Naples and Ft. Myers to be completed by the end of 2005 except the segment between San Carlos Park and Corkscrew Road, which is now scheduled for 2010. The Estero community has been working with FDOT and Lee County for several years to accelerate the 6-laning of this segment of US 41.

Jointly we have now achieved funding for the first two phases necessary for the widening. The County loaned the State about \$2.3 million so that the design could begin last year. FDOT was able to obtain a \$7 million loan from the State Infrastructure Bank so that right-of-way acquisition could begin later this year and permitting soon thereafter. All parties worked together last year to get the Metropolitan Planning Organization to add \$17 million for construction of the road in 2008-09 to its five year funding plan.

As things stand today, widening the road could begin in the fall of 2006 but the \$17 million needed to pay for it will not become available until July 1, 2008, a gap of nearly two years.

Wal-Mart has offered to pay the interest on a low cost County loan to the State that would permit the widening to start in 2006 instead of 2008. This offer need not and cannot legally be considered by the County until after Wal-Mart is zoned. Because traffic on this segment of US 41 is so bad, with or without Wal-Mart, Florida's "Concurrency" law prohibits Wal-Mart, or anyone else, from obtaining a Development Order (DO) allowing construction to start on the project until July 1, 2005, the first date that is within three years of the funding for construction of the road becoming available.

Before Wal-Mart can obtain a DO they must also obtain a "Concurrency Certificate" from the County. Before the County can issue a Concurrency Certificate the Metropolitan Planning Organization must advance the US 41 construction funding in their five-year road budget and FDOT must amend their work program to reflect the accelerated widening of this segment of US 41. Should Wal-Mart obtain zoning approval by the BOCC, then, and only then, can the loan possibility be discussed and subsequently approved by the County, the MPO and FDOT. Once this process is complete the County can issue its Concurrency Certificate, DO and building permits and construction can commence.

On Monday, April 5th the BOCC will discuss the use of the County low-interest commercial paper program for loaning FDOT about \$17 million in order to accelerate the construction of US 41 between Corkscrew Road and San Carlos Park. County DOT staff opposes this proposal in favor of FDOT applying for another State Infrastructure Bank (SIB) loan in order to provide funds for construction when needed in 2006. Unfortunately, we will not know until 2005 if the legislature will fund the SIB program and later if the project will be successful in competing for some of those funds.

April 2004

Estero Parkway Wal-Mart Progress Report --- Following up on last month's extensive report on this project, on April 14th the Estero Parkway Wal-Mart Committee met with the landscaping members of the EDRS to review the latest changes that Wal-Mart has incorporated into their zoning plans. The additional suggestions for change were then presented and approved by the Estero Council of Community Leaders (ECCL) at their meeting on April 16th.

In addition to landscaping suggestions affecting ten areas of the property, the ECCL urged Wal-Mart to make the following changes to the plans submitted to the Wal-Mart Committee on April 8, 2004:

- Increase the width of the US 41 berm in order to permit the larger trees Wal-Mart has agreed to plant there so they have the room they need to grow and thrive and to be consistent with the other major developments along US 41, Coconut Point and North Point.
- Provide three, appropriately spaced, full-length landscaped sidewalk medians in the main parking lot as was provided in Coral Springs and is called for by our proposed "big box standards".

- Limit the use of the outlot to a bank, a high-end restaurant or an office building built in an architectural style that is consistent with the Mediterranean architecture of the Wal-Mart store.
- Expeditiously draft an agreeable contract between the community, The Vines (as surrogate for the Estero Community), Wal-Mart and Lee County incorporating bond provisions that back up requirements that will ensure that Wal-Mart will continuously operate the store in a secure, noise free, clean, well landscaped, environmentally appropriate and code compliant manner. The agreement will provide for an adequate bond, periodic inspections, manager orientation meetings with the community and neighbors and effective enforcement provisions.

On April 30th the Wal-Mart Committee once again met with Wal-Mart's representatives to discuss their response to these recommendations. As a result of these negotiations Wal-Mart will once again revise their plans and specifications for the project and submit them to the Committee by Friday, May 7th. After reviewing these documents the Committee and Wal-Mart's representatives will meet with County zoning staff to ensure that all of the changes are properly included in the report to be issued by the county zoning staff prior to the hearing by a Lee County Hearing Examiner. Then the ECCL will consider the Wal-Mart Committee's report at it May 14th meeting.

At present County zoning staff has scheduled the Hearing Examiner hearing for August 4th. If the ECCL approves the recommendations of the Wal-Mart Committee, the ECCL will urge the county to accelerate that hearing.

May 2004

Estero Parkway Wal-Mart Progress Report --- On April 30th the Wal-Mart Committee once again met with Wal-Mart's representatives to resolve the remaining open issues. As a result of these negotiations Wal-Mart once again revised their plans and specifications for the project and submitted them to the Committee on May 7th. After reviewing these documents, the Committee and Wal-Mart's representatives resolved their differences and met with County zoning staff on May 14th to ensure that all of the changes are properly included in the staff report to be filed with the Hearing Examiner prior to his or her hearing on this matter.

Bob Perry of The Vines summarized the agreement with Wal-Mart on this store as follows:

- Substantial architectural design improvements based on Estero Design Review Committee recommendations
- Substantial landscaping design changes, increased number and size of trees based on Estero Design Review Committee recommendations
- Five (5) year warranty on all landscaping
- The width of the perimeter buffer along US 41 shall be 30 feet and the berm will be 2 feet higher than the adjacent roadway
- Two full length landscaped sidewalk medians, one full length landscaped median and one shorter landscaped sidewalk median shall be provided in the parking lot

- The use of the outlot shall be limited to a bank, a high-end restaurant or an office building built in an architectural style that is consistent with the Mediterranean architecture of the Wal-Mart store
- The outlot shall be buffered in the same way at the same time as the perimeter on US 41 and Estero Parkway
- The future buyer of the outlot shall be required to work with Florida Gulf Coast University and the community to install a "gateway" feature on the northeast corner of US 41 and Estero Parkway
- The berm, wall and landscaping along the Vines property line and along the perimeter of the property that fronts US 41 shall be installed as soon as possible
- The Tire and Lube facility shall be housed within the building and buffered
- Outdoor display and sales is not permitted
- Outdoor storage is not permitted
- Blasting is not permitted
- Overnight Recreational Vehicle parking is not permitted
- Sidewalk sales, auto sales or other similar events are not permitted
- Temporary signs in the parking lot and throughout the property are not permitted
- Compressors will be surrounded by an 18 foot high solid wall. Sound insulating material and variable speed motors will be installed to further reduce noise
- A 16 foot sound insulated screening wall shall be used to shield the truck well and docks
- A 10 foot sound insulated wall located adjacent to the rear service drive, and wrapping around the north side of the building up to the at-grade delivery doors, shall be installed
- A four foot berm, with a six feet high screen wall shall be installed along any portion of the commercial site abutting the Vines
- Lighting shall meet Lee County Standards. There shall be no spillage of light off the site
- The store shall be open twenty-four hours a day. The general merchandise doors will close between 11 PM and 6 AM.; access to the general public shall be restricted to the grocery side of the store during that time
- No truck deliveries between 4 PM and 4 AM. Truck deliveries between 4 AM and 7 AM will be limited to one bakery truck and one dairy truck daily that shall use the at-grade delivery door and will not be required to back up. No Wal-Mart company truck shall use back-up alarms while on premise.
- Wal-Mart will work with the community and FDOT to prevent right turn on red for west bound traffic on Estero Parkway at US 41
- Through a contract with The Vines community Wal-Mart agrees to insure that the store will continuously operate in a secure, noise free, clean, well landscaped, and environmentally appropriate and code compliant manner.
- Provide at no cost to the Vines Community an access roadway, remotely controlled gate, landscaping and irrigation. The roadway to connect Vintage Trace Circle to Estero Parkway and shall be in operation prior to the opening of the Wal-Mart store.

At present County zoning staff has scheduled the Hearing Examiner hearing for August 4th. The ECCL Wal-Mart Committee urged county staff to accelerate that hearing when they met on May 14th.

June 2004

Estero Parkway Wal-Mart Progress Report — As reported last month Estero's Wal-Mart Committee and Wal-Mart's representatives reached agreement on a long list of issues in early May and met with County zoning staff on May 14th to ensure that all of the changes are properly included in the staff report to be filed with the Hearing Examiner prior to the public hearing on this project.

County zoning staff has scheduled the Hearing Examiner hearing for August 4th. If that date is to be met the Staff Report on the project must be available to the parties by Wednesday, July 21st. At that time the Committee will review the staff report and prepare for testimony at the August 4th Hearing. Jerry Murphy, the County Zoning staff person assigned to this project will be leaving the County for another position on July 12th. Consequently, the Committee and Wal-Mart may need to meet with his successor to insure that the staff report is consistent with our negotiations.

In a related matter, Wal-Mart, several community leaders, county staff and the leaders of The Vines, met with representatives of US Homes on June 22nd to discuss their plans for the multi-family parcel immediately east of the Wal-Mart site. The purpose of the meeting was to obtain community input regarding those plans and to ensure that the Wal-Mart zoning plan would not be affected by those plans. US Homes plan to build 340 "for sale" multifamily housing units on this site in thirteen (13) two, three and four story buildings. The plan calls for two story buildings adjacent to The Vines community. After considerable discussion the developer agreed to add landscaped buffers and walls in several areas for security and aesthetic reasons. US Homes plans to present the project to the Estero Design Review Committee at their July or August meeting.

**ESTERO COMMUNITY PLANNING PANEL, INC.
BOARD OF DIRECTORS Issue 12, Mar 04, 2004**

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PLANNER/ADVISOR

ESLICK
EXHIBIT # 1
DCI2003-00058

ESTERO COMMUNITY APPEARANCE COMMITTEE (ECAC) MEMBERS

Issue 1 092502

NAME	CAREER	ESTERO	EXP'D	WORK	TEL	FAX	EMAIL	ADDRESS
Peter Sargent	Licensed Architect	Lives in Estero	Pelican Landing DRG	Retired	Home 948.5811 Cell: 405 4275	Work	Sargent365@msn.com	3446 Wildwood Lake Circle, Bonita Springs, FL 34134
Ronald Dillon	Developer	Works in Estero	Develop't And Reg's	V.P. Oakbrook Properties	Work 992.5529 x203	Work 992.9476	RDillon@OakbrookFL.com	24880 Burnt Pine Dr. Suite 8, Bon. Springs., FL 34134
Diane Ferrando	Design Review	Lives in Estero	Design Review	Design Review Bonita Bay Group	Home 948.8603 Work 390.1153	Work 947.4805	DianeF@BonitaBayGroup.com	21301 Lancaster Run #811, Estero, FL 33928
Tom O'Dea	Retired Engineer	Lives in Estero		Retired	Home 949 4224	Home	tomodea@earthlink.net	23195 Foxberry Lane Bonita Springs, Florida 34135
Gordon Lyons	Retired Business	Lives in Estero	Active in Estero Org's	Retired	Home 947.2540	Home 947.7850	MGLYONS@comcast.net	20268 Leopard Ln Estero, FL 33928
Albert O'Donnell	Owner of Landscape Business	Works and Lives in Estero	Landscape Advisory Comm	President, O'Donnell Landscapes	Work 992.8842	Work 992.2188	Al@OdonnellLandscapes.com	4291 Williams Rd Estero, FL 33928
William Pysi	Landscape Architect & Planner	Works and Lives in Lee County	Land Develop't & Standards	Pres/CEO Conceptus Architectural Technologies	Work 334.9144	Work 334.9590	Mail @clati.com	2149 McGregor Blvd, Ste 2 Ft Myers, FL 33901
Joe McHarris	Architect			President Mc Harris Planning and Design	Work 948 6688	Fax 948 6689	joe@mcharris.com	9001 Highland Woods Blvd. Bonita Springs, FL 34135
Wayne Robinson	Landscape Architect	Lives in Bonita Springs	Estero Plan	C/o Integrated Landscape Architecture	Home 992.6810	Work 403.0223	403.0223	271 Ninth Street South Naples, Florida 34102

Community Status and Representation Summary

Community	Homeowner Controlled Community			Developer Controlled		Notes
	Check If Homeowner's Control Your Community	Has Your Board Designated Someone to Represent the Community Here?	When Will Your Board Designate Someone?	If Still Under Developer Control-- Indicate Expected Turnover Date	Proposed Designation Procedure Until Homeowner Takeover	
Breckenridge	X	Bill Brown				
Cascades						Byron Hallam
Coconut Shores				Summer 2005		Eric Pachner, Rose Buchner, Grace Fortuna
Colonial Oaks						Gary Kuckel
Corkscrew Woodlands	X	Fran Wagner & Bill Balthazor(A)				
Covered Wagon Trailer Park						
Cranbrook Harbor	X					
Cypress Bend Resort	X	Jim DeJidas				
El Dorado Estates	X	Michael Young				
Estero River Heights						Mimi Straub Sis Newberry
Estero River Estates aka Kristen Woods						
Fountain Lakes	X					
Gardens of Estero/ Villagio						

Community	Homeowner Controlled Community			Developer Controlled		Notes
	Check If Homeowner's Control Your Community	Has Your Board Designated Someone to Represent the Community Here?	When Will Your Board Designate Someone?	If Still Under Developer Control-- Indicate Expected Turnover Date	Proposed Designation Procedure Until Homeowner Takeover	
Grandeza						Bob Thomas, Claire Hauenstein
Island Club						Lynne Chris, Michael Towns
Mariner's Cove	X					
Marsh Landing	X	Jim McCrow & Dan Dronkers				
Meadowbrook	X					Kent Lewis, Steve Chamberlain, Jack Winklejohn
Old Estero						Patricia Fay, Gloria Syring, Russ Anderson
Pelican Landing	X					Barb Akins
Pelican Landing-- The Colony						Don Eslick & Howard & Nancy Cohen
Pelican Sound	X	Richard Steele & Bill Reno				
Riverwoods Plantation	X	Jane Gates & Jane Sespianiak (A)				
Rookery Pointe						Bob Flato & Sunny Molle
Stoneybrook	X	John Ruehl & Dick Lynch (A)				

Community	Homeowner Controlled Community			Developer Controlled		Notes
	Check If Homeowner's Control Your Community	Has Your Board Designated Someone to Represent the Community Here?	When Will Your Board Designate Someone?	If Still Under Developer Control-- Indicate Expected Turnover Date	Proposed Designation Procedure Until Homeowner Takeover	
Sunny Grove Park	X	Bonnie Brandt & Harry Hammond				
Tahiti Village	X					
The Brooks -- Lighthouse Bay	X	Tom Gaines & Nason Lightman (A)				
The Brooks -- Shadowwood						Don Rowe, Jim Merritt, Jim Fraser
The Brooks -- Spring Run	X	Doranne O'Hara-Casto & Sharon Galloway (A)				
The Brooks -- Copperleaf	X	Sam Levy				Phone 992-5383 Levy1937@earthlink.net
The Habitat/ Bella Terra						
The Lakes of Estero						
The Vines	X	Bob Perry & Guy Saunders (A)				
Villages of Country Creek	X	Bob Nelson & Arnie Rosenthal (A)				

Community	Homeowner Controlled Community			Developer Controlled		Notes
	Check If Homeowner's Control Your Community	Has Your Board Designated Someone to Represent the Community Here?	When Will Your Board Designate Someone?	If Still Under Developer Control-- Indicate Expected Turnover Date	Proposed Designation Procedure Until Homeowner Takeover	
West Bay Club						Don Vilnius & Bill Parker
Wildcat Run	X	Gordon Lyons & Ed Hemsath (A)				

Estero Development Report Articles
Documenting Community Review of
The Proposed Estero Parkway Wal-Mart

March 2003

Wal-Mart by The Vines--- On March 3rd representatives of Wal-Mart Corporation made a presentation to a large group of Vines residents at The Vines Golf and Country Club. At the meeting Wal-Mart indicated that they had not purchased the 33 acre parcel immediately to the south on the northwest corner of Koreshan Boulevard and US 41 but had a contract to purchase that property from Keystone Communities. Wal-Mart is proposing to build a 208,000 square foot super center (including a grocery store) on that site along with 17,000 square foot on two outlots along Koreshan Boulevard for a total of 225,000 square feet. Present zoning on the property permits as much as 300,000 square feet of retail space and 20,000 of office space.

The proposed building would not be the usual Wal-Mart design but would use "Costal Mediterranean" architecture. In addition the proposal would orient the front of the building toward the west so that the loading areas would not be immediately adjacent to The Vines; would include internal loading docks; substantial setbacks and buffering along the northern perimeter of the property; lower lighting standards in the parking lots closer to The Vines in order to minimize the project's impact on The Vines. Finally, the proposal included an access road south from The Vines through the Wal-Mart parking lot in order to provide Vines residents with an alternate exit to south US 4, rather than the unlighted exit at the entrance to The Vines.

The residents of The Vines expressed numerous concerns about the project at the meeting including the following:

- the impact that the traffic generated by the store would have on their ability to exit from The Vines southbound on US 41;
- the increased traffic that might be attracted to their entrance by the access road proposed by the developer;
- the 24 hour per day, seven day per week operation of the store and the noise and other pollution that this would cause their community;
- increased crime resulting from the 24 hour per day operation of the store in such close proximity;
- noise from delivery trucks entering and leaving the property at all hours of the night;
- the impact that such a store would have on property values in The Vines;
- parking of trucks on the premises to provide seasonal storage;
- Wal-Mart's reputation for not keeping their parking lots clean, thus having lots of trash blowing around and for permitting recreational vehicles to park overnight in their parking lots.

Wal-Mart's representatives have indicated that they will soon be seeking to make a presentation on the proposed project to the entire Estero community under the auspices of the ECPP. After receiving this community input Wal-Mart will decide how to proceed with the project.

April 2003

The May Estero Community Planning Panel Meeting-- The meeting of the ECPP scheduled for May 12th will consider a zoning application for the Tucker Property, a 10 acre orange grove site on the northwest corner of Three Oaks and Williams Road, from agriculture to Commercial Planned Development. Representatives of the Wal-Mart Corporation may also present a proposal for construction of a 208,000 Wal-Mart superstore on the northeast corner of US 41 and Koreshan Boulevard. This presentation has been discussed but the date had not been confirmed when this EDR went to press.

June 2003

Wal-Mart--The next big zoning matter for Estero is the proposed Wal-Mart superstore. On June 9th representatives of the Wal-Mart Corporation voluntarily presented a preliminary proposal to obtain input from the Estero community at a meeting hosted by the ECPP. The proposed project calls for construction of a 208,000 Wal-Mart superstore and 20,000 of outlot space on 33 acres located on the northeast corner of US 41 and Koreshan Boulevard, just south of The Vines; across US41 from Breckenridge and just west of an unnamed future multi-family housing development.

Earlier Wal-Mart's representatives made a similar presentation to the residents of The Vines. Wal-Mart has also had its representatives participate actively in the ECPP's efforts to develop big box standards for Estero. At these hearings numerous concerns have been expressed by residents of The Vines and other Estero communities.

The project presented to the ECPP meeting tried to address some of the concerns of the Vines residents through the placement of the building on the site and the buffering to be provided between the store and the nearest homes in the Vines. Five non-traditional architectural designs were also presented as possibilities.

Residents of the Vines identified a Wal-Mart store in Coral Springs that appears to be the "top of the line" Wal-Mart store from an appearance perspective. Consequently, several members of the ECPP, the Vines and other community leaders traveled to Coral Springs to meet with the City's staff and appearance committee and to view the store. The store has a Mediterranean design with covered walkways along all sides of the building adjacent to parking. The perimeter of the site contains wide, bermed and heavily landscaped buffers. The parking lots are frequently divided by landscaped walkways extending from the perimeter buffer to the front of the store. The store was not located near any residential property and was adjacent to major roadways that mitigate any traffic problems created by the store.

The following is a list of the issues that have been raised by Estero residents at the public hearings:

Transportation Issues

- Volume of Traffic (10,000 movements per day)
- Inadequacy of 4 lane US 41 at least until 2008 or 2009 and the timing of the opening of the project
- Financial support for accelerating US 41 widening
- Safety concerns about the proposed right-in right-out entrance and possible left in turn lane on US 41 at time of US 41 widening

- Traffic Light at Koreshan
- Location of Principal Koreshan Blvd entrance

Site and Appearance Issues

- Use of outlots
- Type and size of buffering between parking lots and US 41 and Koreshan
- Demassing of the Building and using architecture to improve its appearance
- Demassing of Parking Lots--breaking them with entrance roads; sidewalks and landscaping
- Providing good and safe pedestrian circulation
- Increased open space
- Other "Big Box" standards
- Tire battery etc consistency with earlier gas station action of BOCC

Wal-Mart Requested Zoning Changes

- 24-7 operation on Parcel 1 (and its impact on crime and noise)
- Increased Signage
- Outdoor sales and display (and storage and storage creep)
- Lower the existing delivery restrictions
- Site design changes, notably combined 60 degree and 90 degree parking

Operational Issues

- Maintenance, clean-up and cart issues
- RV overnight parking
- Continuous use of containers on the property
- Auto shows
- Sidewalk sales

Vines Specific Issues

- Traffic problems exiting The Vines onto US 41
- Entrance road
- Vines buffering strategy and lake and wall versus wall and lake
- Noise especially from delivery trucks
- Pollution
- Light intrusion

August 2003

Wal-Mart -- Representatives of Wal-Mart presented their rezoning proposal to the ECPP at their July meeting. This 228,000 square foot super-store project would be located on the northeast corner of US 41 and Koreshan Boulevard. About 100 Estero residents raised many issues concerning the proposal. Wal-Mart is required by the Estero Community Plan to file a report with Lee County reporting all the issues raised by the community at the meeting and specifying how they will respond to each of them. The developers rezoning application is not complete without this report. Wal-Mart recently completed this report but has not yet filed its application with the County.

September 2003

Wal-Mart Rezoning

During September, Wal-Mart filed their application for rezoning the 33 acre site on the northeast corner of Koreshan and US 41. They would like to use the property to build a 208,000 square foot superstore and about 20,000 square feet of retail in two outlots. The application has been reviewed by County staff and in a letter dated September 19, 2003 it was found to be insufficient. The developer has 60 days to provide the county with the information requested in this letter. A second sufficiency review typically follows before county staff and the developer begin discussions on the issues raised by the project.

Meanwhile, on September 10th Wal-Mart presented its proposal for the site to the Estero Design Review Committee (ERDC). The ERDC raised numerous questions and made many suggestions regarding the development plan, particularly the landscaping component. A summary of the ERDC comments and suggestions follows:

- The EDRC suggested that Live Oaks be used over Laurel Oaks to reflect a more adequate buffer to adjacent uses and that the developer verify that a Southwest Florida seed source has been used for the Laurel Oaks. The use of Laurel Oaks around retention ponds is o.k.
- The proposed plan states that it provides minimum code trees but the documentation neither meet the intent articulated by the Applicant nor the renderings presented. The Committee found the Applicant's landscape plan to be unacceptable.
- Larger oaks (minimum 45-gallon trees suggested) for north and east berms.
- The proposed plan does not meet county minimum Building Perimeter Landscaping specifications (not even close) and was not acceptable to the Committee.
- The EDRC suggested additional Sabal Palms on the north and south sides of buildings with staggered heights and greater density of Sabals in order to better buffer between the building and the adjacent Vines Community.
- The EDRC suggested an increase in density of Live Oaks along the north berm (both sides of wall) to achieve the intent articulated by the Applicant and shown on the rendering.
- The Committee does not support the use of Magnolias in the parking lot. It suggests that Shady Lady Black Olive, Mahogany and/or Live Oaks should be planted instead.
- The EDRC suggested that a larger variety of shrub plant materials be used on the project (only 6 shrub types are shown on the plan).
- The Committee requested that the Applicant provide sidewalks in all medians of the parking lot leading to the building. One bay of parking

could be eliminated by providing a five foot wide walkway between each parking median leading to the building while still providing more than the County required parking. The Committee's opinion is that this is necessary for the project to achieve the necessary pedestrian linkages defined by the Estero Overlay.

- The Committee strongly felt that the importance of public safety through the use of adequate pedestrian circulation far outweighs the need for parking that exceeds county standards. More adequate use of pedestrian linkages within the site is necessary.
- The EDRC suggested that Ash/trash receptacles be installed in medians close to pedestrian walkways.
- The committee suggested that fountains be added to the rear and north-side lake(s) for noise abatement for the surrounding residential communities.
- The Committee was pleased with and supported the revised architecture, especially the 8' wide covered walk across the full front of the building.
- The public asked about trucks, noise, etc. Applicant indicated that it is making efforts to better abate all sound produced by the project.
- The public requested taller walls around the truck bays. The Applicant indicated that they would look into building the truck-bay walls two feet higher than specified.

The Estero Council of Community Leaders has appointed a Wal-Mart sub-committee to study the developer's application and documentation, to discuss all issues with county staff and to prepare a draft position paper to be used for discussion with the developer and county staff.

October 2003

Wal-Mart -- As reported last month Wal-Mart presented a revised development plan to the EDRC on September 10th and received numerous suggestions for improvement from the committee and the public. In response to those suggestions during October Wal-Mart transmitted another revised plan to the EDRC. These changes will be discussed by the EDRC at their meeting on Wednesday, November 12th starting at 5 p.m. at the clubhouse at The Vines. The EDRC's comments and suggestions at this meeting will be used by the Estero Council of Community Leaders Wal-Mart committee as they prepare for discussions with Wal-Mart later in the rezoning process.

December 2003

Wal-Mart Zoning Progress

According to County staff the Wal-Mart zoning application is still not complete. As soon as it is complete and staff has had a chance to thoroughly review it, the ECCL's Wal-Mart committee will meet with them again, meet to develop a position paper for the community and schedule a meeting between Wal-Mart and the Council of Community Leaders to negotiate the issues.

January 2004

Koreshan Wal-Mart Progress Report --- during January Lee County zoning staff found Wal-Mart's zoning application to be complete enough to set a date for a public hearing by a County Hearing Examiner on April 1, 2004. If approved by the County Wal-Mart would be able to construct a 208,000 square foot super Wal-Mart on the northeast corner of Koreshan Boulevard and US 41. Super Wal-Mart's contain a large grocery operation and a tire-lube facility in addition to the general merchandise stocked by all Wal-Mart stores. The application also would authorize one additional store on an outlot located directly on the corner of US 41 and Koreshan.

The Need to Widen US 41

County transportation staff have indicated to Wal-Mart that the store cannot receive a development order (DO) nor begin construction until the segment of US 41 adjacent to the store has been programmed and budgeted for 6-laning within three years of the issuance of that DO. At present this segment of US 41 is not programmed until state fiscal year 2008-09 which begins in October 2008. As a consequence Wal-Mart has offered to pay the interest on a County low interest loan to Florida DOT that would permit the programming of this segment to be accelerated by two years to fiscal 2006-07. Although the County would very much like to accelerate construction of this road segment such a commitment cannot legally be tied to the zoning. Consequently the proposal has not been accepted by the County and may not be resolved until the zoning process has been completed, probably in May, June or July.

Forthcoming Zoning Discussions

Meanwhile the Wal-Mart Committee of the Estero Council of Community Leaders (ECCL) has met with County zoning staff to learn about the latest changes in the development plan and to discuss its concerns. Wal-Mart has offered to provide the committee with a briefing on its zoning request and its Development Order application, now that both have been filed with the county. This meeting is expected to be scheduled for early February. After that meeting the Council of Community leaders will review all the outstanding issues and prepare for a negotiating session with Wal-Mart. After that meeting the ECCL will decide how they will testify at the Hearing Examiner's hearing on April 1st and later before the Board of County Commissioners.

Wal-Mart has also been meeting with the leaders of The Vines regarding a possible private south access road to that community from Koreshan Boulevard. Such a road

would permit Vines residents to go south on US 41 without having to use the dangerous existing US 41 intersection.

February 2004

Koreshan Wal-Mart Progress Report -- late in January Lee County zoning staff found Wal-Mart's zoning application to be complete enough to set the date for a public hearing by a County Hearing Examiner on April 1, 2004. If approved by the County Wal-Mart will be able to construct a 208,000 square foot super Wal-Mart on the northeast corner of Koreshan Boulevard and US 41. Super Wal-Mart's contain a large grocery operation and a tire-lube facility in addition to the general merchandise stocked by all Wal-Mart stores. The application also would authorize one additional store on an outlot located directly on the corner of US 41 and Koreshan.

On February 12th the Wal-Mart Committee of the Estero Council of Community Leaders met with Wal-Mart's representatives and experts for a briefing on the zoning and Development Order (DO) applications found "sufficient" by county staff. In addition to the briefing, Wal-Mart addressed in detail the 37 issues contained in "Wal-Mart Issues Raised by the Community", dated July 12, 2003, that was submitted to Wal-Mart when they made their presentation to the ECPP. As its title implies the issue paper incorporates all the questions and concerns raised by Estero residents at several community meetings on the proposed project.

At this meeting, Wal-Mart addressed all the issues raised by the community, committed to substantial concessions and agreed to change their zoning application accordingly. Major commitments are as follows:

- Eliminated their request for outdoor displays and sales
- Eliminated their request for outdoor storage
- Significantly increased landscaping
- Significantly improved noise abatement
- Significantly reduced truck delivery times
- Committed to a property maintenance "Bond"
- Committed to no blasting
- Site lighting complies with Lee County's new lighting ordinance
- Agreed to prohibit auto shows and parking lot special events.

Copies of Wal-Mart's presentation have been distributed to all the member of the CCL and are available by email upon request. The meeting was monitored by Jerry Murphy, the County Zoning staff member assigned to the project.

In earlier meetings Wal-Mart had agreed to store design and architecture sought by the EDRC and the community and had eliminated some outlots that they had originally sought. Separately Wal-Mart has agreed to provide The Vines community with a private entrance road that will provide Vines residents with direct access Koreshan Boulevard. This gated facility will allow Vines residents to travel south on US41 using the signal at Koreshan rather than having to use the dangerous intersection at their main entrance.

The Committee thanked Wal-Mart for their extensive effort to address the community's concerns and established a schedule for negotiations after the Committee files their

report with the Council of Community Leaders (CCL) and the CCL finalizes their position paper on the project.

On February 13th the Wal-Mart Committee made a progress report to the CCL. On February 16th the Committee met to discuss their recommendations to the CCL and on February 18th met with Al O'Donnell, a knowledgeable landscaper with extensive experience in southwest Florida and member of the EDRC, to discuss Wal-Mart's detailed landscape proposals. The Committee then developed a draft position paper and circulated it to the CCL for their comments and approval. This process is now almost complete. The position paper will be provided to Wal-Mart in time for them to prepare for a discussion of all outstanding issues with the CCL tentatively on March 8th.

After this meeting the CCL will decide what testimony it will present at the April 1st public hearing conducted by a Lee County Hearing Examiner. Only persons and organizations testifying before the Hearing Examiner are permitted by law to make presentations to the BOCC when they make the final zoning decision on the project. The Board's final decision is expected to be scheduled in May or June after the Hearing Examiner has completed his report and the matter is added to the BOCC's agenda.

If Not Wal-Mart, What?

This property is zoned for 320,000 square feet of retail and 20,000 square feet of office space. As with most "bubble plans" the number of possible retail uses is almost endless. Fortunately for the community the existing zoning limit the hours of operation on a parcel that Wal-Mart would otherwise be able to operate on a 24/7 basis. That is the primary reason that Wal-Mart is seeking to rezone the property. Any other "big box" user or combination of retail users that do not require 24/7 operation would not need to rezone the property and thus would not need to work with the community as Wal-Mart has these last 9 months.

All that those users would be required to do is to present their site plan and design to the EDRC for advisory review and file the necessary report with the county as part of their application for a DO. They would be subject to the same "Concurrency" requirements as are discussed below, but the only opportunity for community participation would be that one EDRC meeting.

The Widening of US 41

Present plans call for the six-laning of all segments of US 41 between Naples and Ft. Myers to be completed by the end of 2005 except the segment between San Carlos Park and Corkscrew Road, which is now scheduled for 2010. The Estero community has been working with FDOT and Lee County for several years to accelerate the 6-laning of this segment of US 41.

Jointly we have now achieved funding for the first two phases necessary for the widening. The County loaned the State about \$2.3 million so that the design could begin last year. FDOT was able to obtain a \$7 million loan from the State Infrastructure Bank so that right-of-way acquisition could begin later this year and permitting soon thereafter. All parties worked together last year to get the Metropolitan Planning Organization to add \$17 million for construction of the road in 2008-09 to its five year funding plan.

As things stand today, widening the road could begin in the fall of 2006 but the \$17 million needed to pay for it is not available until July 1, 2008, a gap of nearly two years.

As you know Wal-Mart has offered to pay the interest on a low cost County loan to the State that would permit the widening to start in 2006 instead of 2008. This offer need not and cannot legally be considered by the County until after Wal-Mart is zoned. Because traffic on this segment of US 41 is so bad, with or without Wal-Mart, Florida's "Concurrency" law prohibits Wal-Mart, or anyone else, from obtaining a Development Order (DO) allowing construction to start on the project until July 1, 2005, the first date that is within three years of the funding for construction of the road becoming available.

Before Wal-Mart can obtain a DO they must also obtain a "Concurrency Certificate" from the County. Before the County can issue a Concurrency Certificate the Metropolitan Planning Organization must advance the US 41 construction funding in their five-year road budget and FDOT must amend their work program to reflect the accelerated widening of this segment of US 41. Should Wal-Mart obtain zoning approval by the BOCC, then, and only then, can the loan possibility be discussed and subsequently approved by the County, the MPO and FDOT. Once this process is complete the County can issue its Concurrency Certificate, DO and building permits and construction can commence.

As a result of comments from Estero representatives, the BOCC has directed staff to evaluate the possibility of the County advancing the funds for the State's construction phase, independent of Wal-Mart or any other developer currently seeking zoning approval. The County's Budget Services Department and the County Attorney's Office are currently preparing that evaluation, which includes potential costs to the County, and will be reporting back to the Board in the near future.

March 2004

Koreshan Wal-Mart Progress Report

If the zoning and Development order (DO) applications are approved by the County, Wal-Mart will be able to construct a 208,000 square foot super Wal-Mart on the northeast corner of Koreshan Boulevard and US 41. Super Wal-Mart's contain a large grocery operation and a tire-lube facility in addition to the general merchandise stocked by all Wal-Mart stores. The application also would authorize one additional store on an outlot located directly on the corner of US 41 and Koreshan.

On February 12th the Wal-Mart Committee of the Estero Council of Community Leaders met with Wal-Mart's representatives and experts for a briefing on the zoning and Development Order (DO) applications found "sufficient" by county staff. In addition to the briefing, Wal-Mart addressed in detail the 37 issues contained in "Wal-Mart Issues Raised by the Community", dated July 12, 2003, that was submitted to Wal-Mart when they made their presentation to the ECPP. As its title implies the issue paper incorporates all the questions and concerns raised by Estero residents at several community meetings on the proposed project.

At this meeting, Wal-Mart addressed all the issues raised by the community, committed to substantial concessions and agreed to change their zoning application accordingly. Major commitments made on February 12th are as follows:

- Eliminated their request for outdoor displays and sales
- Eliminated their request for outdoor storage
- Significantly increased landscaping
- Significantly improved noise abatement
- Significantly reduced truck delivery times
- Committed to a property maintenance "Bond"
- Committed to no blasting
- Site lighting complies with Lee County's new lighting ordinance
- Agreed to prohibit auto shows and parking lot special events.

The meeting was monitored by Jerry Murphy, the County Zoning staff member assigned to the project.

In earlier meetings Wal-Mart had agreed to store design and architectural changes sought by the EDRC and the community and eliminated some outlots that they had originally planned. Separately Wal-Mart has agreed to provide The Vines community with a private entrance road that will provide Vines residents direct access to Koreshan Boulevard. This gated facility will allow Vines residents to travel south on US 41 using the signal at Koreshan rather than having to use the dangerous intersection at their main entrance.

On February 13th the Wal-Mart Committee made a progress report to the CCL. On February 16th the Committee met to discuss their recommendations to the CCL and on February 18th met with Al O'Donnell, a knowledgeable landscaper with extensive experience in southwest Florida and member of the EDRC, to discuss Wal-Mart's detailed landscape proposals. The CCL approved a position paper dealing with the following unresolved issues:

- Further restricted the delivery hours;
- The timing of outlot buffering and landscaping;
- Specification of the store operations agreement and bond to include code compliance; cleanliness rules and procedures; security provisions and landscaping maintenance; and periodic inspections;
- Prohibit temporary signs throughout the site;
- Cooperate to prohibit right turn on red on Koreshan at US 41;
- Limit compacting pick up and delivery hours;
- Require outlot purchaser to work with FGCU to install a western university "gateway" feature on the corner;
- Greatly increase the size and intensity of trees and plants in front of the store; in the parking lots and in the street side buffers;
- Increase the width and height of the roadside buffers and intensify the trees and plantings located therein;
- Provide landscaped sidewalks to the store in large enough numbers to break up the parking lot and provide safer access to the store;

The approved position paper was provided to Wal-Mart so that they could negotiate them with the CCL on March 8th. At that meeting Wal-Mart agreed to most of these community positions. The CCL asked Wal-Mart to update the list of agreed zoning conditions, the Master Concept Plan and the Landscape Plan for the project. Wal-Mart updated these documents and transmitted them to the Wal-Mart Committee about March 19th. The Wal-Mart Committee met on March 30th to review these documents incorporating all the negotiated changes in the project. Upon summarizing the results of this meeting and obtaining the approval of the CCL, Wal-Mart was asked to provide more detail on their landscape plans, make two changes in proposed parking and delivery provisions and further enhance four landscape elements. Wal-Mart has yet to respond to the latest CCL request.

Once these issues are resolved County zoning staff can proceed to prepare their report and set the date for the Hearing Examiner public hearing. Only persons and organizations testifying before the Hearing Examiner are permitted by law to make presentations to the BOCC when they make the final zoning decision on the project.

If Not Wal-Mart, What?

This property is zoned for 320,000 square feet of retail and 20,000 square feet of office space. As with most "bubble plans" the number of possible retail uses is almost endless. Fortunately for the community the existing zoning limit the hours of operation on a parcel that Wal-Mart would otherwise be able to operate on a 24/7 basis. That is the primary reason that Wal-Mart is seeking to rezone the property. Any other "big box" user or combination of retail users that do not require 24/7 operation would not need to rezone the property and thus would not need to work with the community as Wal-Mart has this last year.

All that those users would be required to do is to present their site plan and design to the EDRC for advisory review and file the necessary report with the county as part of their application for a DO. They would be subject to the same "Concurrency" requirements as are discussed below, but the only opportunity for community participation would be that one EDRC meeting.

The Widening of US 41 -- Present plans call for the six-laning of all segments of US 41 between Naples and Ft. Myers to be completed by the end of 2005 except the segment between San Carlos Park and Corkscrew Road, which is now scheduled for 2010. The Estero community has been working with FDOT and Lee County for several years to accelerate the 6-laning of this segment of US 41.

Jointly we have now achieved funding for the first two phases necessary for the widening. The County loaned the State about \$2.3 million so that the design could begin last year. FDOT was able to obtain a \$7 million loan from the State Infrastructure Bank so that right-of-way acquisition could begin later this year and permitting soon thereafter. All parties worked together last year to get the Metropolitan Planning Organization to add \$17 million for construction of the road in 2008-09 to its five year funding plan.

As things stand today, widening the road could begin in the fall of 2006 but the \$17 million needed to pay for it will not become available until July 1, 2008, a gap of nearly two years.

Wal-Mart has offered to pay the interest on a low cost County loan to the State that would permit the widening to start in 2006 instead of 2008. This offer need not and cannot legally be considered by the County until after Wal-Mart is zoned. Because traffic on this segment of US 41 is so bad, with or without Wal-Mart, Florida's "Concurrency" law prohibits Wal-Mart, or anyone else, from obtaining a Development Order (DO) allowing construction to start on the project until July 1, 2005, the first date that is within three years of the funding for construction of the road becoming available.

Before Wal-Mart can obtain a DO they must also obtain a "Concurrency Certificate" from the County. Before the County can issue a Concurrency Certificate the Metropolitan Planning Organization must advance the US 41 construction funding in their five-year road budget and FDOT must amend their work program to reflect the accelerated widening of this segment of US 41. Should Wal-Mart obtain zoning approval by the BOCC, then, and only then, can the loan possibility be discussed and subsequently approved by the County, the MPO and FDOT. Once this process is complete the County can issue its Concurrency Certificate, DO and building permits and construction can commence.

On Monday, April 5th the BOCC will discuss the use of the County low-interest commercial paper program for loaning FDOT about \$17 million in order to accelerate the construction of US 41 between Corkscrew Road and San Carlos Park. County DOT staff opposes this proposal in favor of FDOT applying for another State Infrastructure Bank (SIB) loan in order to provide funds for construction when needed in 2006. Unfortunately, we will not know until 2005 if the legislature will fund the SIB program and later if the project will be successful in competing for some of those funds.

April 2004

Estero Parkway Wal-Mart Progress Report --- Following up on last month's extensive report on this project, on April 14th the Estero Parkway Wal-Mart Committee met with the landscaping members of the EDRC to review the latest changes that Wal-Mart has incorporated into their zoning plans. The additional suggestions for change were then presented and approved by the Estero Council of Community Leaders (ECCL) at their meeting on April 16th.

In addition to landscaping suggestions affecting ten areas of the property, the ECCL urged Wal-Mart to make the following changes to the plans submitted to the Wal-Mart Committee on April 8, 2004:

- Increase the width of the US 41 berm in order to permit the larger trees Wal-Mart has agreed to plant there so they have the room they need to grow and thrive and to be consistent with the other major developments along US 41, Coconut Point and North Point.
- Provide three, appropriately spaced, full-length landscaped sidewalk medians in the main parking lot as was provided in Coral Springs and is called for by our proposed "big box standards".

- Limit the use of the outlot to a bank, a high-end restaurant or an office building built in an architectural style that is consistent with the Mediterranean architecture of the Wal-Mart store.
- Expeditiously draft an agreeable contract between the community, The Vines (as surrogate for the Estero Community), Wal-Mart and Lee County incorporating bond provisions that back up requirements that will ensure that Wal-Mart will continuously operate the store in a secure, noise free, clean, well landscaped, environmentally appropriate and code compliant manner. The agreement will provide for an adequate bond, periodic inspections, manager orientation meetings with the community and neighbors and effective enforcement provisions.

On April 30th the Wal-Mart Committee once again met with Wal-Mart's representatives to discuss their response to these recommendations. As a result of these negotiations Wal-Mart will once again revise their plans and specifications for the project and submit them to the Committee by Friday, May 7th. After reviewing these documents the Committee and Wal-Mart's representatives will meet with County zoning staff to ensure that all of the changes are properly included in the report to be issued by the county zoning staff prior to the hearing by a Lee County Hearing Examiner. Then the ECCL will consider the Wal-Mart Committee's report at it May 14th meeting.

At present County zoning staff has scheduled the Hearing Examiner hearing for August 4th. If the ECCL approves the recommendations of the Wal-Mart Committee, the ECCL will urge the county to accelerate that hearing.

May 2004

Estero Parkway Wal-Mart Progress Report --- On April 30th the Wal-Mart Committee once again met with Wal-Mart's representatives to resolve the remaining open issues. As a result of these negotiations Wal-Mart once again revised their plans and specifications for the project and submitted them to the Committee on May 7th. After reviewing these documents, the Committee and Wal-Mart's representatives resolved their differences and met with County zoning staff on May 14th to ensure that all of the changes are properly included in the staff report to be filed with the Hearing Examiner prior to his or her hearing on this matter.

Bob Perry of The Vines summarized the agreement with Wal-Mart on this store as follows:

- Substantial architectural design improvements based on Estero Design Review Committee recommendations
- Substantial landscaping design changes, increased number and size of trees based on Estero Design Review Committee recommendations
- Five (5) year warranty on all landscaping
- The width of the perimeter buffer along US 41 shall be 30 feet and the berm will be 2 feet higher than the adjacent roadway
- Two full length landscaped sidewalk medians, one full length landscaped median and one shorter landscaped sidewalk median shall be provided in the parking lot

- The use of the outlot shall be limited to a bank, a high-end restaurant or an office building built in an architectural style that is consistent with the Mediterranean architecture of the Wal-Mart store
- The outlot shall be buffered in the same way at the same time as the perimeter on US 41 and Estero Parkway
- The future buyer of the outlot shall be required to work with Florida Gulf Coast University and the community to install a "gateway" feature on the northeast corner of US 41 and Estero Parkway
- The berm, wall and landscaping along the Vines property line and along the perimeter of the property that fronts US 41 shall be installed as soon as possible
- The Tire and Lube facility shall be housed within the building and buffered
- Outdoor display and sales is not permitted
- Outdoor storage is not permitted
- Blasting is not permitted
- Overnight Recreational Vehicle parking is not permitted
- Sidewalk sales, auto sales or other similar events are not permitted
- Temporary signs in the parking lot and throughout the property are not permitted
- Compressors will be surrounded by an 18 foot high solid wall. Sound insulating material and variable speed motors will be installed to further reduce noise
- A 16 foot sound insulated screening wall shall be used to shield the truck well and docks
- A 10 foot sound insulated wall located adjacent to the rear service drive, and wrapping around the north side of the building up to the at-grade delivery doors, shall be installed
- A four foot berm, with a six feet high screen wall shall be installed along any portion of the commercial site abutting the Vines
- Lighting shall meet Lee County Standards. There shall be no spillage of light off the site
- The store shall be open twenty-four hours a day. The general merchandise doors will close between 11 PM and 6 AM.; access to the general public shall be restricted to the grocery side of the store during that time
- No truck deliveries between 4 PM and 4 AM. Truck deliveries between 4 AM and 7 AM will be limited to one bakery truck and one dairy truck daily that shall use the at-grade delivery door and will not be required to back up. No Wal-Mart company truck shall use back-up alarms while on premise.
- Wal-Mart will work with the community and FDOT to prevent right turn on red for west bound traffic on Estero Parkway at US 41
- Through a contract with The Vines community Wal-Mart agrees to insure that the store will continuously operate in a secure, noise free, clean, well landscaped, and environmentally appropriate and code compliant manner.
- Provide at no cost to the Vines Community an access roadway, remotely controlled gate, landscaping and irrigation. The roadway to connect Vintage Trace Circle to Estero Parkway and shall be in operation prior to the opening of the Wal-Mart store.

At present County zoning staff has scheduled the Hearing Examiner hearing for August 4th. The ECCL Wal-Mart Committee urged county staff to accelerate that hearing when they met on May 14th.

June 2004

Estero Parkway Wal-Mart Progress Report --- As reported last month Estero's Wal-Mart Committee and Wal-Mart's representatives reached agreement on a long list of issues in early May and met with County zoning staff on May 14th to ensure that all of the changes are properly included in the staff report to be filed with the Hearing Examiner prior to the public hearing on this project.

County zoning staff has scheduled the Hearing Examiner hearing for August 4th. If that date is to be met the Staff Report on the project must be available to the parties by Wednesday, July 21st. At that time the Committee will review the staff report and prepare for testimony at the August 4th Hearing. Jerry Murphy, the County Zoning staff person assigned to this project will be leaving the County for another position on July 12th. Consequently, the Committee and Wal-Mart may need to meet with his successor to insure that the staff report is consistent with our negotiations.

In a related matter, Wal-Mart, several community leaders, county staff and the leaders of The Vines, met with representatives of US Homes on June 22nd to discuss their plans for the multi-family parcel immediately east of the Wal-Mart site. The purpose of the meeting was to obtain community input regarding those plans and to ensure that the Wal-Mart zoning plan would not be affected by those plans. US Homes plan to build 340 "for sale" multifamily housing units on this site in thirteen (13) two, three and four story buildings. The plan calls for two story buildings adjacent to The Vines community. After considerable discussion the developer agreed to add landscaped buffers and walls in several areas for security and aesthetic reasons. US Homes plans to present the project to the Estero Design Review Committee at their July or August meeting.

**THIS PETITION IS TO OPPOSE THE CONSTRUCTION OF A 24-HOUR
SUPERCENTER WALMART'S AT THE CORNER OF U.S. 41 AND
ESTERO PARKWAY IN ESTERO, FLORIDA**

Reasons for Opposition:

- 1. The County recommends that the Walmart Supercenter Petition be denied at this time.**
- 2. Does not meet traffic standards:**
 - a. Route 41 is already a heavily used road during off season with limited visibility to the south due to a dangerous curve.**
 - b. Failed road – if Walmart is allowed to build Route 41 would be classified as a “failed road” which means drivers may have to wait two or three cycles at a traffic light before proceeding through the signal light.**
 - c. According to County Planners U.S. 41's expansion is not due until 2009 at the earliest – do we put Walmart before the expansion?**
 - d. Health and Safety Issues – access for emergency management vehicles to respond.**
- 3. 24 Hour Store to be opened - compatibility in crime.**
 - a. Noise pollution with store deliveries by vendors.**
- 4. Not compatible with the Residential Communities Surrounding the Area – Estero has developed a “Village Concept”.**
- 5. Quality of Life.**
- 6. Walmart violates the Land Development Code and Growth Management Plan by not meeting the County's traffic requirements.**
- 7. Estero Residents should not be held hostage to the “fear of what else issue” – do not remain silent – speak out now before it is too late.**

GEOFFRDY
EXHIBIT # 1
D41R003-00058

**PETITION OPPOSING THE CONSTRUCTION OF THE
24-HOUR SUPERCENTER WALMART AT U.S. 41 AND
ESTERO PARKWAY**

NAME	STREET ADDRESS	TOWN -ZIP
Janice Stanbros	8836 Cascades Isle Blvd	33928
John W. Hoff	8836 CASCADES ISLE BLVD	33928
Cheryl L. Lelupie	20131 CASTLEMAINE AVE	33928
John Holley	9101 Broadway	33928
Sandy Lepproy	20191 Castlemaine	33928 ESTERO
Joseph P. Geffroy	20191 Castlemaine Ave	33928
Joseph Beausoleil	9007 Springview Loop	33928
Pat Beausoleil	9007 Springview Loop	33928
Linda P. Graham	9084 SPRINGVIEW	33928
Tom Uiso	9096 "	"
James H. Graham	9084 Springview	33928
Alce Binka	9090 "	33920
FRANK BINKA	9090 SPRINGVIEW	33920
Lula Critzer	9092 Springview	33920
Dave C. Togn	"	"
Larry Moyer	20065 Serene Meadows Ln	33928
David Mauer	20053 Serene Meadows Ln	33928
Berjis Brooks	20045 Serene Meadows	33928

NAME	STREET ADDRESS	TOWN - ZIP
J. Biddle	9008 Springview ^{Loop}	33928
W. B. Gage	9008 " " "	33928
W. Mc Knight	9003 Springview ^{Loop}	Ester 33928
Ann Davis	9004 Springview	Ester - 33928
Tom Davis	9004 Springview	Ester 33928
Jack Setum	9001 Springview ^{Loop}	Ester 33928
Marilyn Setum	9001 Springview ^{Loop}	Ester 33928
Richard D. Hayes	9011 Springview ^{Loop}	Ester 33928
Sherald L. Hayes	9011 SPRINGVIEW ^{Loop}	ESTER 33928
Jean K. Mettscha	9015 Springview ^{Loop}	Ester, 33928
J. K. Mettscha	9015 Springview ^{Loop}	Ester 33928
Mary Bonchitta	9019 Springview ^{Loop}	Ester FL 33928
John Bonchitta	9019 Springview ^{Loop}	Ester 33928
John L. Lins	9105 SPRINGVIEW ^{Loop}	ESTER 33928
Maries Jagunb	9105 Springview ^{Loop}	Ester 33928
M. Lins	9416 Springview ^{Loop}	Ester 33928
Florence M. King	9392 Springview	Ester 33928
Raymond M. King	9392 Springview ^{Loop}	Ester 33928
Lynn Foster	20004 Alana Ct	Ester 33928
Hedy Arrie	20011 Alana Ct.	Ester 33928
Ed Arrie	" " "	" "

NAME	STREET ADDRESS	TOWN - ZIP
TRACI BOERNRIEF	9000 Springview Loop	Esterco 33928
Leiny Freutz	9024 Springview Loop	Esterco 33928
R. Giacchetti	9032 " "	" "
M. O'Mara	9044 Springview	Esterco 33928
Pat Correnti	9048 Springview	Esterco 33928
Domenic Correnti	9048 Springview Loop	Esterco 33928
~~John Correnti~~	~~9048 Springview Loop~~	~~Esterco 33928~~
Toy Janice	9111 Springview Loop	Esterco 33928
Janet L. Witly	9115 Springview Loop	Esterco 33928
Grant Carlson	9169 Springview Loop	Esterco 33928
Kathy Carlson	9169 Springview Loop	Esterco 33928
Jean B. Sima	9157 Springview Loop	Esterco 33928
Dorothy Skeen	9170 Springview	Esterco 33928
Susan Tarpini	9176 Springview	Esterco FL 33928
Miriam B. Courtney	9188 Springview Loop	Esterco FL 33928
Janet K. Courtney	9188-Springview Loop	Esterco FL 33928
Karen J. Rionix	20085 Serene Meadows Ln	Esterco FL 33928
John Rionix	20085 Serene Meadows Ln	Esterco FL 33928
Norbert Banaszak	20185 Castlemaine	Esterco 33928
Phyllis Banaszak	20185 Castlemaine	Esterco 33928

NAME	STREET ADDRESS	TOWN - ZIP
Georgie Kiplinger	20041 Serene ^{Meadow}	33928
David Kiplinger	20041 Serene Meadow	33928
~~H.R. Johns~~	20008 Serene Meadow	33928
Bonnie Johnson	8805 Cascades Club Blvd	33928
Steve Rimmer	8805 Cascades Club Blvd	33928
Michael Cuffo	8816 CASCADE Isle Blvd	33928
Paul Keizer	8832 Cascades Club Blvd	33928
Fred Zybell	20109 Bally Lee	33928
Betty Zybell	20109 Bally Lee	33928
MARY BRUNE	CASTLEMAINE	ESTERO 33928
Jane Brune	Castlemaine	Estero 33928
Tony + Angela Jandoli	2009 Castlemaine	Estero 33928
Robert + Joy Oatley	20043 Alana Ct	Estero 33928
Carol Fisher	20035 Alana Ct	Estero 33928
Amiel M. Bactor	20515 Foxworth Ct	Estero 33928
KEVIN MOYNGHAN	20025 Castlemaine	ESTERO 33928
James W. Simon	9157 Springview Dr	Estero 33928
Mark S. Ouellet	Foxworth	Estero 33928
Cheryl M. Ouellet	9550 LISMORE LANE	ESTERO
Edward J. Ouellet	" " " "	"
Yvonne M. Ouellet	9551 LISMORE LANE	ESTERO

**PETITION OPPOSING THE CONSTRUCTION OF THE
24-HOUR SUPERCENTER WALMART AT U.S. 41 AND
ESTERO PARKWAY**

NAME	STREET ADDRESS	TOWN -ZIP
Gail & Raymond Barry	9589 Liseron Drive,	Estero, Fl. 33928
Paola and Paul Snyder	9595 LISERON DR. Estero	33928
ELIZABETH FAIRBLOTH	9605 LISERON DR ESTERO	33928
ALLEN + CYNTHIA WARNER	9577 LISERON DR ESTERO	33928
Ann Stern	9571 Liseron Dr.	33928
KEN AND MARGO TEPPER	9545 LISERON DR.	33928
ED + DEE KALWEN	20051 BALLYLEE CT.	33928
John + MARY ANN LOONEY	20068 Ballylee Ct.	33928
Bill Berts	9553 Liseron	33928
Kate Guinchard	20093 Bally Lee Ct.	33928
Joan Morgan	9553 Liseron Dr.	33928
Gene Maxwell	9553 Liseron Dr.	33928
Elizabeth Helwege	20167 Castlemaine Ave	33928
Jean E. Helweg	20155 Castlemaine Ave	33928
Guy A. Helwege	20167 Castlemaine Ave	33928
Jean E. Helweg	20155 Castlemaine Ave	33928
Donne Michel	20149 Castlemaine Ave	33928
John P. Michel	20149 Castlemaine Ave	33928

NAME	STREET ADDRESS	TOWN - ZIP
Gabriel Myshrahl	20035 Castlemaine Av.	Estero, FL 33928
Garry Myshrahl	20035 Castlemaine Ave	Estero, FL 33928
Jessie Norath	20029 Castlemaine	Estero, FL 33928
Douglas Norath	20029 Castlemaine	N ✓
Ron & Sue Marshall	20008 Castlemaine	" "
Larry & Kathy Simkin	9568 Lismore Lane	" " 33928
Judith Vandubek	9574 Lismore Lane	Estero 33928
Howard Vandubek	9574 Lismore Lane	Estero, 33928
Donald Troutman	9581 Lismore Lane	Estero 33928
Margaret Troutman	9581 Lismore Lane	Estero 33928
Ron J. Porto	9563 Lismore Lane	Estero 33928
M J Cypriote	9563 Lismore Lane	Estero 33928
Quinta Lamm	9538 - Lismore Lane	Estero 33928
Christa K. Werner	9537 Lismore Ln.	Estero 33928
Kim H. Wern	9537 LISMORE LN.	ESTERO 33928
Scott & Betsy Siculan	20161 Castlemaine Av	Estero 33928
Marilyn Sicular	9001 Springview Ln	Estero 33928
Jack Sicular	9001 Springview Ln	Estero 33928
Whisper Boney	9583 LISMORE DR.	ESTERO 33928

NAME	STREET ADDRESS	TOWN - ZIP
Carol Roger Dulaney	9602 Lisemore Ln	Estero 33928
Myer Dutchman	20173 Castlemaine	" 33928
Marilyn Gabel	20137 Castlemaine	Estero 33928
Barbara Indur	20124 Castlemaine	Estero 33928
Maxine Schnapp	20113 Castlemaine	Estero 33928
Chadwick Spriggs	" "	Estero 33928
James Sano	" "	Estero 33928
Dale Court	20061 Bullylee	33928 Estero
Sandra Haupt	9603 Lisemore Lane	Estero Fl. 33928
Jim Mink	9551 Lurra	Estero # 33928
Beryl Haupt	9603 Lisemore Lane	Estero 33928
Nancy Binning	20107 Castlemaine Dr	Estero Fl. 33928
Jasper Binning	20107 Castlemaine	Estero Fl. 33928
Margaret McBeath	20095 Castlemaine	Estero Fl 33928
Donald McBeath	20095 Castlemaine	Estero, Fl 33928
Audrey Crockett	20052 Castlemaine Ave	Estero Fl 33928
Carroll Roberson	20041 Castlemaine Ave	Estero Fl 33928
Louis Gioia	20041 CASTLEMAINE AVE	ESTERO F. 33928
John Martin	20034 Castlemaine	Estero F 33928
James T. Martin	" "	" " "
Dawn Boney	9583 Liscron	Estero, FL 33928

[illegible]

PETITION OPPOSING THE CONSTRUCTION OF THE 24-HOUR SUPERCENTER WALMART AT U.S. 41 AND ESTERO PARKWAY

[illegible]

[illegible]

[illegible]

Fri. Aug 27th
9 AM
1500 Monroe St. Ft Myers

**THIS PETITION IS TO OPPOSE THE CONSTRUCTION
OF A 24-HOUR SUPERCENTER WALMART'S AT THE
CORNER OF U.S. 41 AND ESTERO PARKWAY IN
ESTERO, FLORIDA**

Reasons for Opposition:

1. The County recommends that the Walmart Supercenter Petition be denied at this time.
2. Does not meet traffic standards:
 - a. Route 41 is already a heavily used road during off season with limited visibility to the south due to a dangerous curve.
 - b. Failed road - If Walmart is allowed to build Route 41 would be classified as a "failed road" which means drivers may have to wait two or three cycles at a traffic light before proceeding through the signal light.
 - c. According to County Planners U.S. 41's expansion is not due until 2009 at the earliest - do we put Walmart before the expansion?
 - d. Health and Safety issues - access for emergency management vehicles to respond.
3. 24 Hour Store to be opened - compatibility in crime.
 - a. Noise pollution with store deliveries by vendors.
4. Not compatible with the Residential Communities Surrounding the Area - Estero has developed a "Village Concept".
5. Quality of Life.
6. Walmart violates the Land Development Code and Growth Management Plan by not meeting the County's traffic requirements.
7. Estero Residents should not be held hostage to the "fear of what else issue" - do not remain silent - speak out now or it is too late.

GEOFFROY
EXHIBIT # 2
OLFD03-00058

THESE PETITIONS ARE SUBMITTED BY THE
BRECKENRIDGE COMMUNITY IN ONE DAY.
75% OF THE BRECKENRIDGE PEOPLE
OPPOSE WAL-MART. FROM EDDIE PERRY
PAST DIRECTOR

**Petition Opposing the Wal-Mart store
at Estero Parkway and US 41**

NAME	STREET ADDRESS	CITY
Kathryn Mooney	4120 Lorene Dr	Estero
Brin & Ward	4110 Lorene Dr.	ESTERO
JOE WARD	4110 LORENE Dr.	ESTERO
Linda Lannin	4110 Lorene Dr	Estero
Patricia White	4110 Lorene Dr.	Estero
Robt White	RR 01	Estero
Mary Clark	4111 Lorene Dr	Estero
Marion Van Bunt	"	Citro
Colin L	4111 Lorene DR	ESTERO
Robert Mann	Unit 107	
Robert Mann	4111 Lorene Dr.	Estero
Robert Mann	Unit 108	
Linda S. Lee	8864 CASCADES Isle Blvd	ESTERO
Gerald Lynch	" " "	ESTERO
Arthur J. Juran	4120 Lorene Dr #209	"
Frank Manos	Green Tree Lane	"
Betty Manos	4121 Lorene Dr #209	"
Ralph Schaeffer	" " " #209	"
Betty Schaeffer	4121 Lorene Dr #109	"
	4121 " Dr #109	"

**Petition Opposing the Wal-Mart store
at Estero Parkway and US 41**

NAME	STREET ADDRESS	CITY
K. Webb	4165 Jace Ct.	Estero
Suey Webb	4165 Jace Ct	"
Emil Rattell	4141 Jace Ct	"
Patricia Rattell	4141 Jace Ct	"
Philippotis, Karl	20121 Jan Ct	"
Robert Marshall	4160 Jinnison #813	"
Eugene Poznik	4121 Lorene Dr #310	"
Barbara Newville	4121 Lorene Dr	"
Tony Cordeiro	4121 LORENE DR	"
Eleanor Valheri	4120 Lorene Dr. #104	"
Michael Valheri	4120 Lorene Dr. #104	Estero
Jim Ross Totto	6120 Lorene Dr. #202	Estero
James Totto	" " "	" "
Richard Zingery	4120 Lorene #107	Estero
Bonnie Zingery	" " "	"
Richard Sullivan	4120 Lorene #103	Estero
Elaine T. Sullivan	4120 LORENE Dr #103	Estero
Violet Meyer	4120 Lorene Dr. 301	Estero
Fran Towhee	4120 Lorene Dr. 307	Estero

**Petition Opposing the Wal-Mart store
at Estero Parkway and US 41**

NAME	STREET ADDRESS	CITY
1. Richard L. Jernigan	4191 Kirby Lane	Estero, FL 33928
2. James L. Barner	4194 PENSACOLA AV.	ESTERO, FL 33928
3. Dorothy T. Beal	4194 Kirby Lane	Estero, FL 33928
4. Pat Green	4260 Ute Court	Estero FL 33928
5. Kathryn Fredrickson	4191 Kirby Ln.	Estero FL 33928
6. Janet Butler	19851 Brokenridge	Estero FL 33928
7. Glenn Stale	4207 Ute Ct #4	Estero, FL 33928
8. C. Nancy Brook	4212 Ute Ct	Estero FL 33928
9. Paul M. Highland	4212 Ute Ct	Estero FL 33928
10. Joan Stungis	4199 Joe Ct	Estero FL 33928

**Petition Opposing the Wal-Mart store
at Estero Parkway and US 41**

NAME	STREET ADDRESS	CITY
T.H. Minter	4160 Gannison Ct #812, Estero, Fl.	Estero
J. ABBATTISTA	4240 PENSACOLA AVE	ESTERO
M. RUBBO	4150 TEQUESTA DR.	ESTERO
C. S. Barnes	4194 Pensacola Ave	ESTERO
ED WRIGHT	20131 INN CT. 109	ESTERO
NICK KONDAGAN	4232 PENSACOLA	ESTERO
MARIO ABBATTISTA	4240 PENSACOLA AVE	ESTERO
Ken Truax	4266 Pensacola Ave	Estero
Mabel Truax	4166 Pensacola Ave	Estero
Robert TrAnn Hartung	4238 Pensacola Ave	ESTERO
James Robinson	19636 Lost Creek	Ft. Myers (Vines)

**Petition Opposing the Wal-mart store
at Estero Parkway and US 41**

NAME

STREET ADDRESS

CITY

Jewers	4120 Lorene dr #305	Estero, 33928
Sharon K Merygl	20071 Wolfel Tr.	" "
Carolyn Barry	4162 Jave Ct.	Estero, FL 33928
~~Carolyn Barry~~	20071 Wolfel Tr.	Estero 33928
Charles E. Barry	20061 Wolfel Tr.	Estero, FL.
Sally L. Barry	20061 Wolfel Tr.	Estero FL.
Nedeth P. Clark	20051 Wolfel Tr.	Estero FL 33928
Philip C. Clark	20051 WOLFEL TRAIL	ESTERO FL 33928
~~Yonze H. Sutter~~	20841 ANDREW PL	ESTERO FL 33928
E. L. RICE & KASTNER	" " "	" " "
Blaine Penn	4120 Lorene Dr. #305	Estero FL. 33928
Carolyn Dalton	4120 Lorene Dr #303	Estero, FL
Jack Dalton	" "	" 33928
Emurd E. Penn Jr.	4120 LORENE DR. #305	Estero FL. 33928

To: Lee County Commissioners

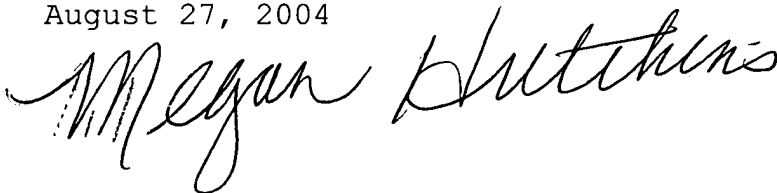
From: Megan Hutchins

Re: Wal-Mart Superstore on Estero Parkway

In my opinion the Wal-Mart Superstore is not appropriate for the corner of U.S. 41 and Estero Parkway because:

- A box store of this size needs to be located on superior capacity arterial roads such as 41 and another major highway or even I-75 and another major Infrastructure.
- Since Wal-Mart parking lots always attract noise and huge amounts of debris it is essential that they be built in retail/commercial areas rather than in the middle of residential communities.
- Until an official survey has been concluded in the Vines, Cascades, or Belo Largo, groups cannot say that communities favor this facility.
- Any facility that causes a road to fail due to excess traffic should be denied until circumstances change.

Megan Hutchins
August 27, 2004



geoffrey
EXHIBIT #3
DLF003-00058

Aug. 1, 2004

Hearing Examiner
1500 Monroe St.
Ft. Myers, FL 33902

Dear Sir:

Re: Wal-Mart
Estero Pkwy & Rt. 41

We are opposed to the construction of the proposed Wal-Mart. The main reason is the safety of travelers and residents. The traffic would be too much for the present Rt. 41.

Even in the summer months, it is dangerously difficult to enter Rt. 41 from "the Vines." With approximately 5000 additional cars per day, it would just be too much — the road would fail.

Thank you for hearing our opinion.

This note represents many residents of "the Vines" who could not be in attendance at this meeting.

Yours truly,
Anne & Josh Smith
19155 Vintage Trax
Ft. Myers FL
(The Vines)

Vines Residents Meeting

March 2nd and 3rd, 2004

Subject: Wal-Mart Rezoning Application

Proposed Wal-Mart Development—Koreschan and US 41

Purpose of Meeting

- To Review Background, Community Activities, and Current Status of Wal-Mart's Application to Develop a Super Center Store

AND TO

- Obtain a "SENSE" of the Vines Residents Regarding Future Actions / Next Steps

AGENDA

- **Background**
- **Community Activity / Actions**
- **Current Status**
- **Wal-Mart Concessions & Changes**
- **Secondary Access Road for Vines Residents**
- **Potential Estero Community Position**
- **Additional Estero Community Conditions**
- **Summary**
- **Options**

BACKGROUND

Property was rezoned in July 2001

- 34 Acre Site
- 320,000 Square Feet—Retail Use
Plus
- 20,000 Square Feet – Office Space

Rezoning Allows Wide Range of Uses

Uses in MPD Tract 1 Are Limited

- Hours of Delivery—7AM until 10PM
- Deliveries Prohibited between 8PM and 6AM

Approval of Zoning

- Does Not Address Traffic on US 41
- Future Development Order (DO) Approval Must Satisfy
Concurrency Requirements

On March 3, 2003, Wal-Mart Announced their Plan to Develop a
208,000 Square Foot Super Center to the Vines Community

Community Activities/Actions

During the Year 2003 Estero Community was very active

Estero Community Leaders Panel
Estero Design Review Committee
Estero Subcommittee on Wal-Mart

Discussions, Detailed Reviews and Interaction

Wal-Mart Representatives
Lee County Staff

List of Community Issues Presented to:
Wal-Mart and County Staff

Addressing Items Such As:

Transportation Issues

Site Appearance Issues

Requested Zoning Changes

Operational Issues

Vines Specific Issues

Wal-Mart application submitted—September 2003

CURRENT STATUS

- **Wal-Mart's Application is now Sufficient-February 2004**
- **County Staff now doing an In Depth Review**
- **Report due March 15th**
- **Hearing Examiner Meeting—April 1st
Public Meeting**
- **BOCC Meeting--?
Public Meeting**
- **Meeting with Wal-Mart
February 12, 2004
List of concerns
Changes to application**

Wal-Mart Concessions and Changes to Application

MAJOR ITEMS

- Eliminated Outdoor Displays and Sales
- Eliminated Outdoor Storage
- Significantly Increased Landscaping
- Significantly improved Noise Abatement
- Significantly Reduced Truck Delivery Times
- Committed to Maintenance Bond
- Committed to No Blasting
- Site Lighting Complies with new Lee County Ordinance
- Eliminated Auto Shows and Parking Lot Special Events

SECONDARY ENTRANCE for VINES RESIDENTS

- In the Event Super Center is approved
- We have an Agreement in Place with Wal-Mart
Whereby they have committed

TO

Build at NO COST to VINES RESIDENTS

- A Two Lane Road
- Remotely Controlled Gate
- BUFFERED—Walls & Landscaping
- Lights and Irrigation

PLUS

- Lump Sum Maintenance Payment

ROAD to be IN PLACE before Store Opening

POTENTIAL ESTERO COMMUNITY POSITION

They most likely will Support Wal-Mart's

- Application for Rezoning

AND

- Immediate Commencement of Construction Once a Development Order (DO) and a "Concurrency Certificate" has been issued

IF

- The following Additional Conditions are satisfied

Additional Estero Community Conditions

- Install the Wall, Berm and Landscaping along the Vines Property Line as soon as Possible
- Work With the Community and FDOT to Prevent Right-Turn-on-Red for West-Bound Traffic on Koresham at US41
- Limit Dumpster Pick up and Delivery Hours to 8 AM to 4 PM
- The Store will always be in Compliance with All Lee County Codes
- The Store, its Parking Lots and all other areas of the property will be operated and maintained at a high level of cleanliness
- The security system is effective and responsive to community concerns
- The landscaping is continuously maintained so as to enhance the appearance of the property
- Replace many of the proposed trees with different and or larger trees
- Increase the width of the perimeter buffers along Koresham and US 41
- Configure the parking lots with landscaping and sidewalks that are equivalent to the design at the Wal-Mart Store in Coral Springs

WHAT DOES CONCURRECY MEAN

In laymen's terms—A Development Order (DO) can't be issued unless:

Funding for the Construction of a roadway is in place within three (3) years of the approval of the DO

Current Situation impacting this property

Funding for construction phase of US41 is July 1 2008

Wal-Mart desires a DO in July 2004

Four (4) years before funding is in place

THUS—they need to advance funding at least one (1) year

Wal-Mart is attempting the following:

Fund the interest on a construction loan

To advance the construction phase to July 2006

A Two (2) Year Improvement

IF Successful, they will have met the concurrency requirements

US41 between Corkscrew and San Carlos Boulevard will be completed in July 2008

NOTE: That is Three (3) years after the store opening

Summary

Wal-Mart has made considerable changes to their rezoning request

The Estero Community has been very successful in:

IMPROVING

- The Architecture of the Building
- Landscaping
- Operations
- Safety
- Overall Appearance

PLUS

Wal-Mart has committed to build a secondary road for Vines Residents

Wal-Mart will be able to make a strong case for approval at the Hearing Examiner and the County Commissioners Meetings

SUMMARY (continued)

24/7 Operations still a rezoning issue-but

Wal-Mart has probably provided enough to obtain approval of their Rezoning Application

When it comes time for the DO

- The issue will be Traffic and Concurrency
- If Wal-Mart is able to advance the construction phase
- They may again obtain approval

One Other Point

The Site is zoned for a "BIG BOX" and a large retail store will eventually be built there

As noted, many types of stores have been approved for this Site

The next developer may not have to go thru rezoning

AND

Most likely will not provide the Vines with

- An Alternative Access Road
- Upscale Landscaping along our property line
- Increased sound abatement

What are our Options and What do we do next?

OPTION A

Join with the Estero Community

They most likely will support the application for rezoning

AND

**Support immediate commencement of construction once a DO
and Concurrency Certificate have been issued**

...if additional conditions are satisfied

Option B

Support the application for rezoning

BUT

Attempt to get a “SUPER” Concurrency

OPTION C

Continue to resist approval of rezoning by fighting approval of 24/7 operations

Hire a noise expert and fight the noise issue

Argue that the development is too close to a residential community

Attempt to get a SUPER concurrency

NOTE: Regardless of what option is selected

Every Resident has the right to testify before the Hearing Examiner as to their personal opinion and having done so, they may also testify before the County Commissioners

AGREEMENT FOR MAINTENANCE AND ACCESS

THIS AGREEMENT FOR MAINTENANCE AND ACCESS ("Agreement") is made this 5th day of August, 2004 by and between WAL-MART STORES EAST, LP, a Delaware limited partnership, hereinafter referred to as "Wal-Mart," and VINES COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, hereinafter referred to as "Association."

WHEREAS, Association administers an existing residential development located on U.S. 41 in the unincorporated area of Lee County, Florida known as "Vines"; and

WHEREAS, Wal-Mart has a contract to purchase a vacant tract of land which abuts the south side of the Vines as more particularly set forth on Exhibit "A" attached hereto and made a part hereof (the Wal-Mart Tract"); and

WHEREAS, the Wal-Mart Tract abuts both U.S. 41 and Estero Parkway as shown on the preliminary site plan attached hereto and made a part hereof as Exhibit "B" ("Site Plan"); and

WHEREAS, the zoning classification of the Wal-Mart Tract must be amended before Wal-Mart can construct a supercenter with 24-hour operations on the Wal-Mart Tract; and

WHEREAS, Wal-Mart has offered to provide access to the residents of the Vines through the Wal-Mart Tract to Estero Parkway in the event the zoning is approved and a supercenter is constructed on the Wal-Mart Tract; and

WHEREAS, if the supercenter is approved and constructed, the Estero Parkway access will be of benefit to the residents of the Vines.

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

Agreement for Maintenance and Access
Vines Community Association
Estero, FL Store #5347-00
FTL:1196500:5

UHL
EXHIBIT # 1
DL2003-00058

1. In the event Lee County approves a zoning amendment which permits the construction of a Wal-Mart store with 24-hour operations on the Wal-Mart Tract and Wal-Mart constructs the supercenter store thereon, then Wal-Mart agrees to permit and construct an accessway from Estero Parkway to the southern boundary point of the Vines (such accessway is referred to as the "Vines Cross Access" on the Site Plan) prior to the opening of the new store. The accessway will be constructed in substantial compliance with the plans attached as Exhibit "C". Prior to the opening of the Wal-Mart store, Wal-Mart shall grant to the Association a perpetual non-exclusive easement for the benefit of all residents of the Vines to use the accessway, such easement to be in a form reasonably acceptable to Wal-Mart and the Association. In addition, Wal-Mart shall cause Osprey Cove of Lee County LTD, as the owner of a portion of the accessway, to join in the easement or to provide a separate easement for such purposes in favor of the Association in a form reasonably acceptable to the Association. No portion of the cost of permitting or constructing the accessway will be borne by the Association.
2. The accessway will be buffered in substantial compliance with the "Preliminary Vines Cross Access Plan" attached as Exhibit "C". Wal-Mart shall prepare final plans in substantial conformance with the preliminary plans attached hereto as Exhibit "C". The final landscape plans shall also include the specifications for the walls, berm and fencing. All initial landscaping (as shown on Exhibit "D") and irrigation shall be installed at the sole expense of Wal-Mart.
3. Signage will be placed by Wal-Mart at its sole expense south of the turnaround shown on Exhibit "B" which indicates that the accessway beyond that point leading to the Vines is private. Such signage shall be a typical highway sign in conformance with MUTCD and

FDOT standards.

4. The gate shown on Exhibit "B" (the "Gate") will be constructed and installed by Wal-Mart at its sole expense prior to the opening of the new store. The Gate will be remotely controlled and will consist of two moving structures (one swinging in and one swinging out) connected in the middle of the accessway. Wal-Mart will provide the Association with the Gate's manufacturer, model, height, operation, etc. for its review and reasonable approval.
5. Upon completion of construction of the accessway and the installation of the Gate and landscaping, Wal-Mart shall be responsible for the maintenance, repair and replacement of all improvements made by Wal-Mart under this Agreement including, but not limited to, the accessway, landscaping, irrigation, curb inlets and storm pipes associated therewith for the area located south of the Gate. The Association shall be responsible for the maintenance, repair and replacement of all improvements made by Wal-Mart under this Agreement including, but not limited to, the landscaping, irrigation, curb inlets and storm pipes associated therewith for the area located north of the Gate and for the operation, maintenance, repair and replacement of the Gate.
6. The Association may purchase and install a security camera to be located at the Gate and Wal-Mart shall reimburse the Association up to but not more than \$8,000 of the collective cost of the camera and the installation thereof within thirty (30) days of receipt of request therefor from the Association accompanied by a paid invoice. The Association shall be solely responsible for the operation, maintenance, repair and replacement of same at the Association's sole cost.
7. Wal-Mart agrees to reimburse the Association for the costs incurred by the Association in discharging its obligations set forth in Paragraph 5 above on a yearly basis within thirty (30)

days of receipt of an invoice showing the costs incurred for the preceding year, not to exceed the sum of \$6,985.00 for the first year, with such maximum amount increasing annually by three percent (3%). The cost to upgrade the landscaping (\$6,207.50) at the Vines entrance will be deducted from the first year's maintenance reimbursable.

8. In order to allow Wal-Mart to construct and maintain the accessway as set forth in this Agreement, the Association shall grant to Wal-Mart a temporary construction easement and a perpetual access and maintenance easement upon and across the portion of the accessway which is to be located upon the Vines property. The easements shall be prepared by Wal-Mart and shall be in form reasonably acceptable to the Association. Wal-Mart shall pay the cost of recording such easements.
9. This Agreement shall be governed by the laws of the State of Florida. Venue for any action arising hereunder shall be Lee County, Florida. This Agreement constitutes the entire agreement of the parties and may not be amended or modified except in a writing signed by both Wal-mart and the Association. This Agreement may be executed in counterparts, each of which shall be deemed an original. Facsimile signatures shall be deemed originals.

The parties have executed this Agreement effective as of the date first written above.

VINES COMMUNITY ASSOCIATION, INC.

By: [Signature]
Name: Robert / Newberry
Title: Vice President

WAL-MART STORES EAST, LP

By: WSE MANAGEMENT, LLC, its
general partner

By: [Signature]
Robert M. Bedard, Assistant
Vice President Real Estate

Agreement for Maintenance and Access
Vines Community Association
Estero, FL Store #5347-00
FTL:1196500:5

Approved as to legal terms only
by [Signature]
WAL-MART LEGAL DEPT.
Date: 8-5-04

LEGAL DESCRIPTION (PREPARED BY SURVEYOR)

A PORTION OF SCHULTE TAMiami PARK RECORDED IN PLAT BOOK 5, PAGE 33 AND A TRACT OF LAND ALL LYING IN SECTIONS 21 AND 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE RUN NORTH $00^{\circ} 51' 13''$ WEST, ALONG THE EAST LINE OF SAID SECTION 21, FOR A DISTANCE OF 94.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF KORESHAN BOULEVARD AND TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 11425.00 FEET AND A CHORD BEARING OF NORTH $87^{\circ} 38' 50''$ WEST; THENCE RUN WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $02^{\circ} 46' 21''$, FOR A DISTANCE OF 552.84 FEET; THENCE RUN NORTH $86^{\circ} 15' 39''$ WEST, 2230.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $86^{\circ} 15' 39''$ WEST, 246.10 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1179.35 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $26^{\circ} 15' 55''$ FOR AN ARC DISTANCE OF 540.63 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1284.11 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $15^{\circ} 59' 33''$ FOR AN ARC DISTANCE OF 358.42 FEET; THENCE RUN SOUTH $51^{\circ} 30' 44''$ WEST, 262.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 49.98 FEET; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $91^{\circ} 22' 44''$ FOR AN ARC DISTANCE OF 79.71 FEET; THENCE RUN NORTH $37^{\circ} 10' 34''$ WEST, 955.65 FEET; THENCE RUN NORTH $37^{\circ} 41' 05''$ WEST, 17.53 FEET; THENCE RUN NORTH $44^{\circ} 53' 22''$ EAST, 1165.13 FEET; THENCE RUN SOUTH $45^{\circ} 06' 23''$ EAST, 824.33 FEET; THENCE RUN SOUTH $23^{\circ} 09' 48''$ WEST, 48.11 FEET; THENCE RUN SOUTH $18^{\circ} 05' 53''$ EAST, 261.25 FEET; THENCE RUN SOUTH $41^{\circ} 49' 02''$ EAST, 117.26 FEET; THENCE RUN SOUTH $56^{\circ} 32' 09''$ EAST, 125.01 FEET; THENCE RUN SOUTH $86^{\circ} 11' 52''$ EAST, 308.33 FEET; THENCE RUN SOUTH $06^{\circ} 17' 52''$ WEST, 65.10 FEET; THENCE RUN SOUTH $03^{\circ} 48' 08''$ WEST, 78.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.08 ACRES OR 1,440,962 SQUARE FEET, MORE OR LESS.

Exhibit C

gph
 Engineers
 Landscape Architects
 Construction Management
 100 West Main Street
 Palm Beach Gardens, FL 33418-2000
 Phone: (561) 966-1000
 Fax: (561) 966-1001

Scale: 1" = 60'
 Date: MAY 2004
 Job No.: W13303
 Project Name: WAL-MART
 Project Address: 5347-00, ESTERO, FL 33429

Copyright © 2004

**WAL-MART
 STORE #5347-00, ESTERO, FLORIDA**

EXHIBIT C

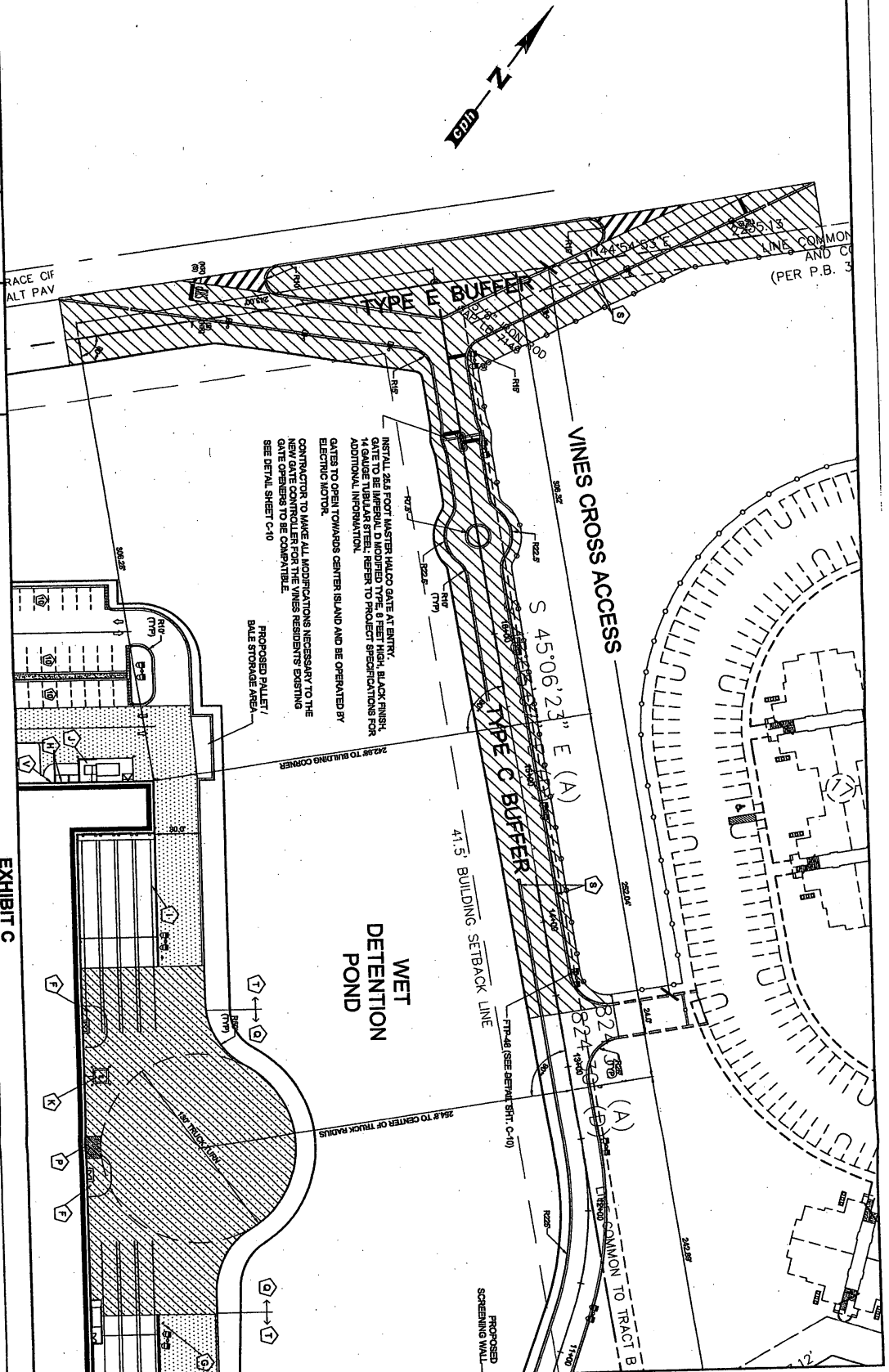
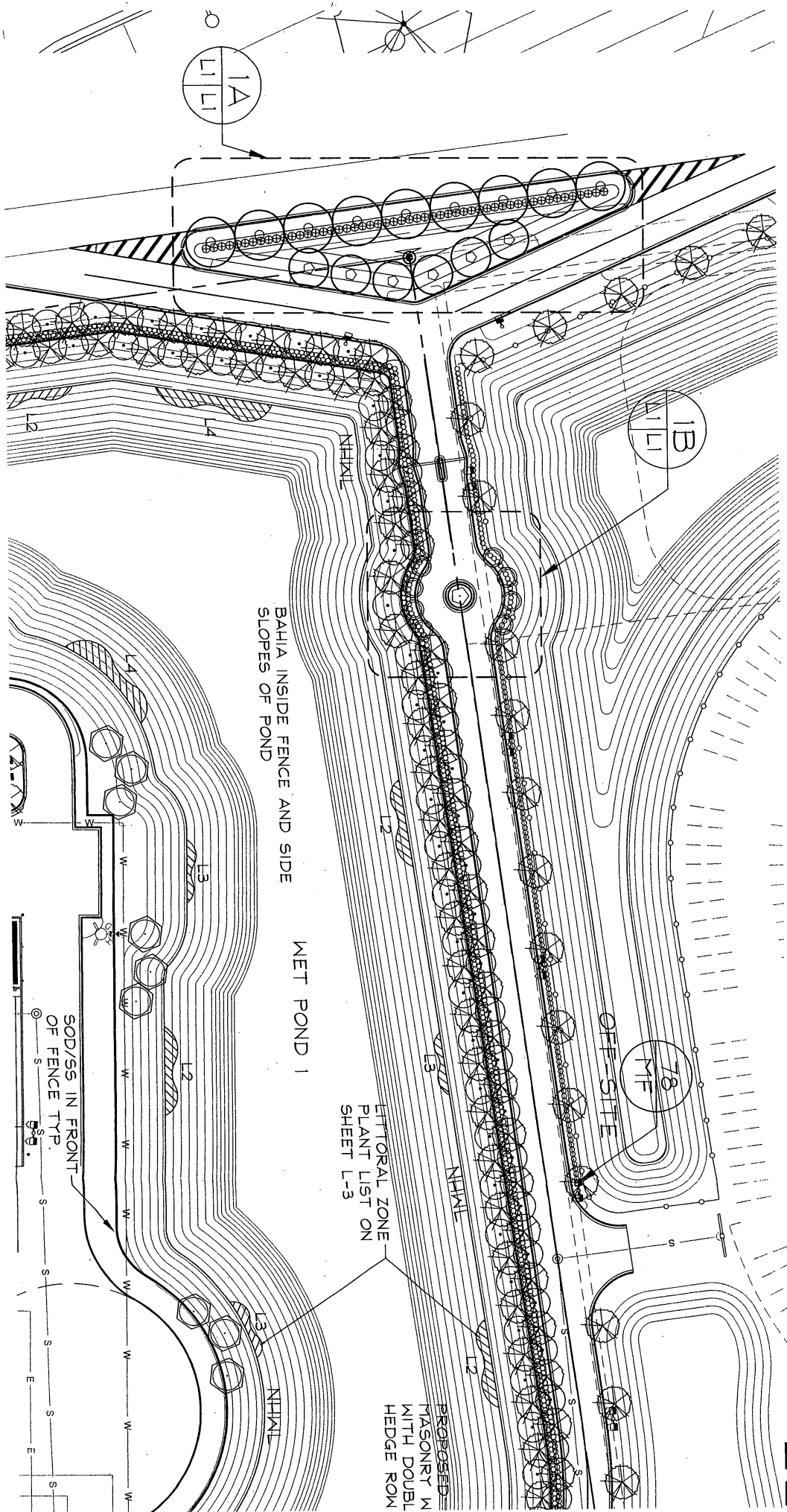


Exhibit D



AGREEMENT

THIS AGREEMENT is made this 5th day of August, 2004, by and between WAL-MART STORES EAST L.P., hereinafter referred to as "Wal-Mart," and VINES COMMUNITY ASSOCIATION, INC., a Florida Non Profit Corporation, hereinafter referred to as "Vines."

Recitals

WHEREAS, Vines is an existing residential development located on U.S. 41 in the unincorporated area of Lee County, Florida; and

WHEREAS, Wal-Mart has a contract to purchase a vacant tract of land which abuts the south side of Vines; and

WHEREAS, the zoning resolution for the Wal-Mart parcel must be amended before Wal-Mart can construct a supercenter with twenty-four (24) hour operations on the site; and

WHEREAS, Vines is concerned about issues relating to security, landscaping, and the general appearance of the proposed Wal-Mart; and

WHEREAS, the parties have agreed that these issues should be addressed in an agreement which shall be attached as a condition of zoning approval by Lee County.

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. Wal-Mart will operate and maintain in working order security cameras on all sides of the proposed store, including the rear. The cameras will be for the viewing purpose of Wal-Mart property only.
2. A minimum of one (1) security guard will patrol the outside of the store premises, including areas at the rear of the store, twenty-four (24) hours a day, every day of

the year. If, based on the experience of the parties, a different requirement is appropriate, this paragraph can be amended with the written consent of the parties.

3. Litter will be removed from the parking lots and other common areas no less than once every two (2) hours, from 8:00 AM until 9:00 PM.
4. Shopping carts will be removed from the parking lot and other common areas and placed inside the store no less than once every two (2) hours, from 8:00 AM until 9:00 PM.
5. The parties recognize that Estero can experience significant inclement weather, which includes, but is not limited to, lightning, severe thunderstorms, hurricanes, and tornadoes. Wal-Mart representatives shall not be required to remove carts, litter, debris, or any other objects from any outdoor areas during periods of severe weather which could pose a life safety issue.
6. Vines shall establish a committee to meet with the general manager of Wal-Mart on a schedule to be determined by the members of the committee. Each new general manager will be required to meet with the committee within ten (10) days of the date that he assumes his position. Vines residents, by and through the President of the Community Association and appropriate representatives of the Community Association, shall meet with the manager of Wal-Mart once a month during the first year after Wal-Mart receives the certificate of occupancy. Vines residents shall meet with the manager of Wal-Mart once a quarter thereafter. Any complaints about the conditions of the grounds shall be presented by the entire committee, or any member thereof, to the general manager by phone (at a number to be designated by the general manager) or in writing. Wal-Mart agrees to use its best efforts to address all complaints. The general manager must respond to each complaint by phone or in writing within twenty-four (24) hours.
7. If any site development or construction occurs during the dry season (November 1 - May 15), water must be sprinkled on the site on a daily basis to prevent unreasonable impacts to Vines from dust.

8. Wal-Mart shall provide a five (5) year warranty for the maintenance of the project landscaping identified on the zoning and local development order plans. Wal-Mart shall implement an accelerated fertilization schedule designed to bring the vegetation to a state where the trees, shrubs and other landscaping will be strong and healthy and of such a size that the vegetation will remain viable and healthy at the end of the five (5) year warranty period with routine irrigation and maintenance.
9. The parties do hereby agree that if there is a violation of the terms and conditions of this Agreement they shall provide notice in writing to the offending party. Said written notice shall specifically describe the nature of the violation and identify the steps needed to cure the violation. If the violation is not addressed within ten (10) business days, or such other longer period of time identified in the notice if ten (10) business days is not sufficient to address the violation, then the parties shall be required to participate in binding mediation. Each party hereby waives its right to initiate judicial proceedings, including without limitation, trial by jury, regarding any and all disputes, claims or controversies arising from, or relating to, this Agreement or the breach thereof. The parties shall participate in good faith in all mediation proceedings. The venue of the mediation proceeding shall be Lee County, Florida, unless otherwise agreed to by the parties. The fees and expenses of the mediation, including the fees of the mediator, shall be shared equally by all parties. However, each party shall pay its own expenses (including without limitation attorney's fees and costs and expenses of preparation and presentation of proof). The parties shall make every reasonable effort to agree upon a qualified mediator. If the parties do not agree on a mediator, then the parties shall each select one (1) mediator; the two (2) mediators shall thereafter jointly select a third (3rd) mediator, who shall conduct the mediation.
10. This Agreement is enforceable by injunction in Circuit Court in Lee County, Florida. In addition, the parties intend that compliance with this Agreement will be required as a condition of zoning approval. However, any failure by Lee County

to impose the terms of this Agreement in a condition or to otherwise enforce this Agreement shall not be considered a breach of this Agreement by either party.

Entered into the month and day first written above.

VINES COMMUNITY
ASSOCIATION, INC., a Florida
Corporation

By: Ron Greenlee
Name: Ron Greenlee
Title: President

WAL-MART STORES EAST L.P.

By: Robert M. Bedard
Name: Robert Bedard
Title: Assistant Vice-President,
Real Estate

F:\WPDATA\ESR\NM\Walmart\Vines Agreement 7-21-04.doc

Approved as to legal terms only
by [Signature]
WAL-MART LEGAL DEPT.
Date: 8-5-04

Donald Eslick

From: <Kestrumm@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 8:53 PM
Subject: Estero Pkwy Wal-Mart

I am up in Pennsylvania until October but I want you to know that I support ECCL's position regarding the Estero Parkway Wal-Mart rezoning. Good luck!

Ken Strumm, Pelican Landing

Rosenthal
EXHIBIT # 1
DE 1003-00058

8/26/2004

Donald Eslick

From: <RsnthA@aol.com>
To: <doneslick@worldnet.att.net>
Cc: <Akinsbs@aol.com>; <bhallam@worldnet.att.net>; <DavidG@BonitaBayGroup.com>
Sent: Thursday, August 26, 2004 9:49 PM
Subject: Re: Estero Parkway Wal-Mart

Don-- List me as a firm supporter of the Walmart @ 41 and Estero Pkway as negotiated by the Estero groups -- It will be the best looking and best operated, and most user friendly Walmart ever.
How any self- respecting Cof C object to this is beyond my comprehension.

r

Arnold Rosenthal

8/26/2004

Donald Eslick

From: "Albert Newton" <esterosid@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 5:43 PM
Subject: RE: Estero Parkway Wal-Mart

Don, Thank you for your efforts on the Wal Mart. I have never found any of my many friends that do not support fully having a Wal Mart built there. We are excited about it and hope that it will happen soon. It will save us many trips north on 41 and therefore relieve some of the traffic. Multiply that by the many others that will be doing the same thing and you will find that it will be a good thing for traffic, not a bad thing. I think it will help the overwhelming majority of the people that live in Estero and the negative people should not keep the rest of us from benefiting from it. It will also make Estero a more desirable place to live for others. These negative people are self serving and are probably the type that don't like anything. Sid and Jean Newton, residents since 1990.

----- Original Message -----

From: Donald Eslick

To: David Morton; Deborah Burnett; Debra McCormick; Del Virgilio; Dennis Williams; Dick Donlan; Dick Foley; Don Irons; Joe Reynolds; Donna Branden; Ed & Ellen Thomas; Ed Bonini; Raymond & Phyllis Love; John & Martha Howard; Lesley Hill; Steve & Linda Baschnagel; D.V. & Avril Prendeville; John & Donna Dunn; William & Nancy Bradley; Gerald & Stephanie Broshear; Jerry & Sharon Mirshak; James & Rita Davis; Gary & Veronica Vogt; Anderson & Nancy Thompson; Paul & Kathleen Perry; Russ & Peggy Sparks; Alan & Lorraine Tulman; Tom & Cindy Davis; Michael & Derora Bush; Gerard & Barbara McLaughlin; Lois & Jonathan Adams; Lou & Roseann Achille; Paul James; Ravi & Bharati Kharkar; Ron & Margaret Stengel; Frank & Nancy Prunte; Georgia & Bob Nelson; Gloria Syring; Jack Shea; Jane Gates; Jane Sespaniak; Joe Boro; John Campbell; John Ruehl; Kay & Bob Kirksick; Ken Heatherington; Ken Plonski; Ken Wilkinson; Kevin Leo; Larry Scrabis; Laura Miller; Michael Hueniken; Midge Pressentin; Al Meyer; Paul Cusmano; Randy Mercer; Ray Pothier; Rick Mercer; Robert Flato; Ross McDonald; Sissel Robertson; Stacie Zinn; Steve & Carol Bartholf; Thomas Rider; B Vines; A Vines; Robert Wagner; Veronica Antoniazzi; Robert Klausner; Beverly & Calvin Baitz; Andrew Mager; Verne Edgar; Suzanne Henderson; Sid & Claire Hauenstein; Robert/Delores Cronen; Hugh Barclay

Sent: 8/23/2004 11:45:04 PM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store-- Costco, Target, Home Depot, Lowe's etc. -- that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the

8/26/2004

Donald Eslick

From: <ABOUNA1943@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 10:38 AM
Subject: Wal-Mart Estero Parkway facility

TO WHOM IT MAY CONCERN:

I support the ECCL's position on the Estero Parkway Wal-Mart rezoning. Opponents of the ECCL position do not represent my attitude in this matter.

ECCL has heretofore thoroughly thought-out and worked through this matter. Wal-Mart has shown itself to be a very responsible corporate citizen and should be extended every courtesy required for it to accelerate its commencement of the planned store on Estero Parkway in accordance with the guidelines it has established with the ECCL.

V. Rev. Fr. Basil Banyasz, JD, PhC(c)
20131 Seagrove #401
Estero, FL 33928

8/26/2004

Donald Eslick

From: "John and Sharon Neville" <jdneville@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 11:11 AM
Subject: Re: Estero Parkway Wal-Mart

I fully support the changing of zoning to accomodate the construction of the new Wal-Mart and suggest that the zoning commitee move quickly to do so. It is clear that Wal-Mart will work with the Estero community in the areas of land beautification, easy access for the Vines and \$ 1,000,000 to expedite the widening of Rte. 41. Is there anyone on the board, or for that matter, in Lee Co. that enjoys traffic bottle-necks. Lets get it done fellas, this is a no-brainer!

Breckenridge: 4185 Pensacola Ave.

John and Sharon Neville
262-728-1412

Donald Eslick

From: <Jcchwhite@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 10:07 AM
Subject: Re: Estero Parkway Wal-Mart

Don,

I wish to send on my support for the building of Wal-Mart at #41 and Estero Blvd. The reasons you give are compelling. There is no doubt that the effort of one and all has brought forth a store like no other. We all thank you for yours and everyone's diligence.

Carol White
Lighthouse Bay

8/26/2004

Donald Eslick

From: "goff barbara" <bj1goff@yahoo.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 7:48 AM
Subject: Re: Estero Parkway Wal-Mart

Thank you for all your hard work on this matter. We surely appreciate it. I am in favor of this Wal Mart and would approve whatever you think best. Barb and Jim Goff, 23915 Sanctuary Lakes Ct.

Do you Yahoo!?
Win 1 of 4,000 free domain names from Yahoo! Enter now.
<http://promotions.yahoo.com/goldrush>

Donald Eslick

From: <JDman1343@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Thursday, August 26, 2004 8:37 AM
Subject: Re: Estero Parkway Wal-Mart

As residents of The Colony in Pelican Landing we strongly support and request approval of ECCL position on the Wal-Mart rezoning at Estero Parkway.

Bill and Carol Price

8/26/2004

Donald Eslick

From: <Qbdan@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:46 PM
Subject: Wal-Mart

Don

Just a note to thank you for all the hours you've put in on the Wal-Mart issue and to let you know that we are in agreement with the plans for the proposed superstore at the NE corner of US 41 and Estero Parkway. Sometimes the battle is frustrating, but keep up the good work. You are indeed, a patient man.

Dot and Dan Dronkers

8/26/2004

Donald Eslick

From: "RON NARLOCK" <rnarlock@wi.rr.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:05 PM
Subject: Re: Estero Parkway Wal-Mart

Ronald and Judith Narlock support the ECCL's position on the Wal-Mart on Estero Pky. Our address is 21747 Sound Way Unit 102 Estero, FL 33928

----- Original Message -----

From: Donald Eslick

To: Dave Miller ; Nancy Cohen ; Mike Kozlow ; Bob Wilson ; Gary Iverson ; A L Rivero ; James M Hoffmann ; Bob Schultz ; Vernon L Richens ; Max Walten ; Gerald Seaman ; Stanley Stickney ; Riverwoods 1 ; John Clegg ; Linda Leblanc ; Paul Keyes ; Donna Lloyd ; John Toher ; Robert & Margery Oberheide ; Bo & Laurie King ; Jim & Audre Yates ; Tom Manuel ; Doranne O'Hare-Casto ; Betty Grosfield ; T C ; Kathleen Fitzgerald ; Tom Moehring ; REDPIE@aol.com ; Lee Powar ; Jane & Raquel Gray ; Art & Mary Graeber ; Tony D'Eramo ; Margarita Bailey ; Larry Flynn ; Neal Caple ; Gordon Banks ; Randall Espeseth ; Tom Schoenheider ; Richard Steele ; John & Brigitt Devlin ; Cynthia Janssens ; Arlene Ilyichenko ; Janet & William Kienle ; William & Eileen Lutz ; Marti Davis ; Joseph Curley ; Donald Fox ; Howard Meeker ; Lowell Garner ; Chuck Bruce ; Kelly Durham ; Ron & Rhea Grenier ; Barbara Weinand ; Pelican Sound 1 ; Herbert Spencer ; Art Zens ; Dot Lingren ; Gary Lindsay ; Donald Streicher ; Byron Thorsen ; Nelson Burr ; Ken & Maryann Kilponen ; John Lordi ; H Lawrence Roy ; Ivars & Gloria Kauls ; Harvey Kadlec ; Roger & Barbara Levin ; Leo & Kathy Manz ; Pat Giglio ; Don Seiler ; K Pryor ; Paricia Prominski ; Norbert Rodil ; Tom Ginzl ; Bob Welliver ; Jamie Jameson ; Elaine Boreski ; Tom & Gail Battaglini ; Larry Beemer ; Daniel Whiteman, Jr. ; John Nuccio ; Allen & Susan Meyer ; Wil & Anne Brown ; Paul Donald ; Gloria & Bill Elsea ; Robert Kopp ; Nick Licari ; Kathryn Sloan ; Larry Pointelin ; Shirley Barker ; Jim & Martha Rosasco ; Howard McKenna ; W. C. Brearley ; Tony Dalesandro ; Thomas McCarthy ; Ronald Smith ; Bill & Margaret Pratilas ; Dieter & Regina Schluter ; Russell Braese ; James & Randi Ferguson ; Gail & Richard Morneau ; Doug Dalrymple

Sent: Tuesday, August 24, 2004 7:04 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

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Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

8/25/2004

Donald Eslick

From: <Mickbeth00@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 10:11 PM
Subject: Re: Estero Parkway Wal-Mart

Don,

Though I am not a big Wal Mart fan, I support the time and effort the ECCL has invested in this project and their backing of The Wal Mart proposal.

Mickey Wheeler

8/25/2004

Donald Eslick

From: "Jerry Zelinka" <jzelinka@SWFLA.RR.COM>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 9:53 PM
Subject: Estero Wal-Mart

I support the ECCL position on the proposed Wal-Mart store on Estero Parkway.

Suzanne Zelinka
9650 Falconer Way
Rookery Pointe

8/25/2004

Donald Eslick

From: "James M Hoffmann" <jmhoffmann@juno.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 8:23 PM
Subject: Re: Estero Parkway Wal-Mart

To Whom It May Concern:

While we are not full-time residents of Estero, we are property owners and taxpayers, having a place in Cypress Bend.

We fully support the efforts of the ECCL and are in favor of a Wal-Mart store in Estero.

Rosalind and James Hoffmann

On Tue, 24 Aug 2004 08:04:34 -0400 "Donald Eslick" <doneslick@worldnet.att.net> writes:

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

Donald Eslick

From: <allanj2@netscape.net>
To: ""Donald Eslick"" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 8:56 PM
Subject: RE: Estero Parkway Wal-Mart

Don Eslick : The Committee is to be commended on the work that has gone into this matter, and we would like to support this in any way possible; we hope and trust that your efforts will be recognized at the meeting.

All the very best in this regard.

Allan & Valerie Jackson

"Donald Eslick" <doneslick@worldnet.att.net> wrote:

>Dear Estero Development Report Reader:

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8/25/2004

Donald Eslick

From: "ROBERTO TASSINARI" <barota29@yahoo.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 7:38 PM
Subject: Re: Estero Parkway Wal-Mart

Hi!

Hundreds of people are driving from Estero, San Carlos, Brooks etc. to converge on what is purported to be the busiest intersection in Lee County. The Walmart in Estero will take traffic off of 41 and spread it around to relieve some of the traffic in that area. You have my whole hearted support. I don't know of anyone against it.

Bob Tassinari

Donald Eslick <doneslick@worldnet.att.net> wrote:

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Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

- send us an email now indicating your support for the ECCL's position on the Estero Parkway Wal-Mart rezoning; and
- join us on Friday at the Hearing so that the Hearing Examiner will not be misled into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

8/25/2004

Donald Eslick

From: <Jgaffs@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 6:50 PM
Subject: Re: Estero Parkway Wal-Mart

We agree with the ECCL's position on Walmart and would like to add our support for their decision.

Pat and John Gaffney Lighthouse Bay

8/25/2004

Donald Eslick

From: "Gloria Baird" <gloriabaird@worldnet.att.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 5:16 PM
Subject: Re: Estero Parkway Wal-Mart

My husband and I are very grateful for all the ECCL has done; and, although we hate the idea of any Wal-Mart, we will respect and accept your informed decisions and recommendations.

----- Original Message -----

From: Donald Eslick

To: John Tengblad ; Amy Bosway ; Gloria Baird ; Cathy Zieder ; Mickey Wheeler ; Joe Fran Minutella ; Pat McKown ; Toni Verne MacLeod ; Don LeRoy ; Bob Dunkle ; Phil DeVito ; Bob Brown ; David Bowser ; Liesuretime Park ; Sis Newberry ; Richard Lynch ; Don Wareham ; Ervin Lyon ; Chip Wyser ; Charlie Bishop ; Carl Hoke ; ROBERTO TASSINARI ; Dr. William Ertag ; Dan Dronkers ; Ed Piwowar ; Elaine Benfield ; Ray Fenton ; Allen Viscott ; Ron Pierce ; David Brown ; A. A. Blaicher ; Sue Plummer ; Robert E Ashe ; Bonni Novak ; Larry Johnson ; Les & Becky Stacho ; Stoneybrook Residents ; Laurie Pankow ; Clyde Ohrman ; Jim Barnes ; Bob Hartung ; Marcia Andre ; Cindy Reutzer-Zingraff ; Art Nicoletti ; John & Barbara Wood ; Rick Korecki ; Nora Demers ; Melissa Powell ; Charbel Abinajem ; Robert & Patricia Lombard ; Robert & Mary Cutter ; Lynn Sarkela ; John & Martha Howard ; Russell Kraeger ; Rod Marques ; Don Vilnius ; Suzanne Ondo ; Mike Kelsey ; Guy Saunders ; Walt & Barb Coakley ; Arn Mantilia ; Dave & Pam Carlson ; B K Sawchuk ; Rich Costabile ; Arnie Rosenthal ; Ron August ; Ken Zilli ; George Bradley ; Larry Wallace ; Ken Claar ; Norm & Adrienne Fontaine ; Lynette Grout ; Jack Tanner ; Pat Cole ; Grady McDaniel ; Neal & Elaine Caple ; Tom Burns ; Jim McKinney ; Steve Myers ; John & Jeni Nance ; Wayne Doyle ; Gary Green ; Elaine Gross ; Kevin Hill ; Jim Breitbach ; Robert Davis

Sent: Monday, August 23, 2004 10:53 PM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse

8/25/2004

Robert R. Kant
19659 Lost Creek Drive
Ft. Myers, FL 33912
(239) 267-4052

Memo to ECCL
Re: Wal Mart at Estero Blvd & Rte 41

Gentleman:

As a resident and property owner of the Vines community , I am in full support of your position with regard to the approval of the Wal Mart petition in the matter before the Lee County Hearing Examiner on Friday August 27.

As I will be out of town on that date, if it is appropriate, please use this as my proxy in support.

Sincerely,

R.R. Kant

Donald Eslick

From: <Sespaniak@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 3:59 PM
Subject: Re: Estero Parkway Wal-Mart

I support the Estero Council of Community Leader's position on the Estero Parkway Wal-Mart rezoning. They have been very good about meeting our desires.

8/25/2004

Donald Eslick

From: "KennerBeck" <KennerBeck@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 4:16 PM
Subject: Fw: Estero Parkway Wal-Mart

----- Original Message -----

From: KennerBeck
To: Donald Eslick
Sent: Tuesday, August 24, 2004 7:29 PM
Subject: Re: Estero Parkway Wal-Mart

I agree with ECCL's position on the Estero Pkwy Walmart.
 Thank you for your efforts.

----- Original Message -----

From: Donald Eslick
To: Jim Merritt ; Candy Boothe ; Pat Smart ; Kathy Sabarese ; Tom Guenther ; Bernie McNamara ; Bill Hughes ; Dick Marilley ; Ed Blinn ; Tom Sullivan ; Betty Smith ; Bill Scherer ; David Osbun ; Kandy Koop ; Ken Strumm ; Judith Kemble ; Marion Weinberger ; Nelson Glueck ; Michael DeVito ; Ernie Hood ; Diane Juneau ; David Courtney ; Marilyn Donaldson ; Tom Ostrem ; Pat Noland ; Norine Armstrong ; Jerry Martin ; Johnny Brown ; Roger & Mimi Holly ; Nat Wisser ; Dave Cornelius ; ??????? ???? ; Deziree Bowles ; John Brenton ; Don TeBeau ; Ken Scheele ; Tom Nolte ; Kirk Teschke ; Sunny Molle ; Carl Evans ; Herb Schmitt ; Frank Binka ; Bob Hoffman ; Herman Myers ; Robert Szymczak ; NANCY SIMONSEN ; Ed Anderson ; Gayle Sassano ; Dave Rydahl ; Marie Vanderford ; Ed Blackman ; Bruce Stewart ; Grant Keiser ; Diane Ferrando ; Karyn Kenner ; Linda Horne ; Jack Eikenberg ; Irene Kievat ; Al & Ruth Jensen ; Pat Coulter ; Ann Williams ; Gene Hirsch ; Meg Judge ; Claude Williams
Sent: Monday, August 23, 2004 11:42 PM
Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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8/25/2004

Donald Eslick

From: <CourtDrape@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 3:12 PM
Subject: Re: Estero Parkway Wal-Mart

I am in favor of the Estero Parkway Wal-Mart rezoning. Adele Miele from Pelican Sound in Estero. You have don a wonderful job keeping us informed.

8/25/2004

Donald Eslick

From: <Bgmeier@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 2:45 PM
Subject: Re: Estero Parkway Wal-Mart

Don,

Barbara and I support the ECCL's position on the Estero Parkway Wal-Mart rezoning.
Thanks for all the work that you have done on this project.

Barbara and Jerry Meier
23821 Addison Place Court
Bonita Springs, FL 34134

8/25/2004

Donald Eslick

From: "Lou and Arlene Corsiglia" <lacorsiglia@excite.com>
To: <doneslick@worldnet.att.net>
Cc: <agolferiam@earthlink.net>
Sent: Wednesday, August 25, 2004 2:41 PM
Subject: wal-mart examiner's hearing aug.27, 2004

ECCL,Don Eslick,etal:

The support of Wal-Mart rezoning proposal,as it presently is formated to be presented on this coming Friday,has our total support and concurrence! Since we cannot be in attendance to voice a "yes" message,please also express our thanks to all the VCA and ECCL for their fine work on this vital matter.

Yours truly, Louis and Arlene Corsiglia--Lost Creek Village @ the Vines-Estero ,FL

Join Excite! - <http://www.excite.com>
The most personalized portal on the Web!

Donald Eslick

From: "Judy Teilborg" <judyteilborg@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 2:02 PM
Subject: Re: Estero Parkway Wal-Mart

We strongly support the ECCL's position on the Estero Parkway Wal-Mart rezoning. We do not oppose it!

Also, we greatly appreciate the efforts of everyone who has led and participated in the development and implementation of the consensus strategy.

We are sorry that we won't be in Florida for the hearing.

Thank you for doing an excellent job and for keeping us informed.

William Hale and Judy Teilborg
21952 Masters Circle (Pelican Sound)
Estero, FL 33928

8/25/2004

Donald Eslick

From: <KayRoteFL@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:25 AM
Subject: Re: Estero Parkway Wal-Mart

Don, Thank you for the informative update regarding the Estero Parkway Walmart.

As a long time Vines resident, I certainly support the ECCL position in support of WalMart's request for Zoning approval. As you know, I have personally met with WalMart representatives, and participated in many meetings with Estero Community leaders as we have successfully convinced WalMart to agree to our requests for major improvements. As former President of the Vines Community Association, I participated in a series of Informative meetings with Vines Residents that resulted in the overwhelming support of the project, as described in the revised development plans.

Thanks again for your continuing hard work for the Estero Community.

Kay Rote, The Vines

Donald Eslick

From: "Frank Celsnak" <celsnak@earthlink.net>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 12:29 PM
Subject: [Fwd: Re: Estero Parkway Wal-Mart]

----- Original Message -----

Subject: Re: Estero Parkway Wal-Mart
Date: Tue, 24 Aug 2004 18:07:14 -0400
From: Frank Celsnak <celsnak@earthlink.net>
To: Donald Eslick <doneslick@worldnet.att.net>
References: <019601c4898c\$4022b660\$ecd44d0c@05qmi>

I am in full support of WalMart building according to the current level of inclusions. I reject any other use for the property. Frank Celsnak

Donald Eslick wrote:

Dear Estero Development Report Reader:

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No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the

8/25/2004

Donald Eslick

From: "JoanneBursack" <z15joanne@comcast.net>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 12:45 PM
Subject: Estero Walmart

Dear Mr. Eslick:

I want to commend the Estero Council of Community Leaders ("ECCL") and its Wal-Mart Committee on the excellent service they have performed for the Estero Community. I have read the Estero Development Report regarding the proposed Wal-Mart super-store at the northeast corner of US 41 and Estero Parkway. As a resident of Estero I am in support of approval of zoning for Wal-Mart subject to the conditions proposed by the ECCL.

Wal-Mart has demonstrated its willingness to work with the ECCL and Lee County. I believe this is the type of business that Estero needs to attract. The economic development of the Estero must be done with the leadership of the Estero Community to achieve a balance between growth and beauty for our community.

I whole-heartedly support the ECCL and its recommendations to Lee County.

Sincerely,

Joanne C. Bursack

8/25/2004

Donald Eslick

From: <ParBaby4@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 12:37 PM
Subject: Re: Estero Parkway Wal-Mart

Thank you for updating us on the latest Wal-Mart controversy.

We wholeheartedly support the ECCL position in favor of the Estero Parkway location being rezoned to allow Wal-Mart to build. We believe this to be a win-win situation for the community in general and our Vines community in particular.

Thank you for your efforts.

William and Patricia Cox

Donald Eslick

From: "Rex Ely" <rex-el@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:56 PM
Subject: Re: Estero Parkway Wal-Mart

Don: I support ECCL's position on Wal Mart!!!

Rex Ely

----- Original Message -----

From: Donald Eslick

To: Jim Paterski ; Wesley Hrynychuk ; Rocco Catanese ; Thomas Lemond ; Don Haase ; Larry Stanford ; Peter Manos ; Judy Finan ; Jim Grey ; Steve Druckman ; William Rogers ; Laura Macione ; Ray Pierce ; Walt Buchner ; Eric Pachner ; Stanley Ries ; Ellie Ely ; Bob & Jane Krisher ; Robert Wendig ; Ken Kaminski ; Jerry Kort ; Kristin Zullo ; Dusty Stamp ; Cherie Akers ; Ted Price ; Henry Dagit ; James S. Fraser ; Sharon Galloway ; Chuck Butt ; Tom Moore ; Marcia Trusler ; John Votaw ; Ron and Nancy Greenlee ; Louise Greenberg ; Bill & Andi Isenhour ; Ruth Anne Shepard ; Hal Crane ; Russ Andersen ; Truax I ; Truax II ; Truax III ; Truax IV ; Truax IIII ; Truax IIIII ; Jim McDonough ; Lewis Kling ; Robert Bond ; John Woods ; Eberhard Pfaller ; Jack Vachris ; Keith & Claudia Merrill ; Terry McDermott ; Peter Sargent ; Thomas O'Dea ; Linda Tanner ; Nello & Kathleen Mariani ; William Gess ; Sarah Thompson ; Kathy Malone ; Brian Griffin ; John Rae ; Gary Cain ; Don DeBord ; Carol White ; K Wirth ; Gary Barnes ; Donna Capasso ; Tom Milton ; Margot Wojciechowski

Sent: Tuesday, August 24, 2004 8:19 AM

Subject: Estero Parkway Wal-Mart

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

Donald Eslick

From: "Bob Schultz" <rschultz41@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:00 AM
Subject: Fw: Estero Parkway Wal-Mart

We strongly support the ECCL's position on the Estero Parkway Wal-Mart rezoning.

Bob and Barbara Schultz
20837 Gleneagles Links Dr.
Estero, FL 33928

I

8/25/2004

Donald Eslick

From: "Carolyn Fair" <carolynfromin@sbcglobal.net>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:37 AM
Subject: Estero Walmart

Dear Mr. Eslick:

Just wanted to let you know that my husband and I support the ECCL's position on the Estero Parkway Walmart rezoning.

Carolyn Ann Fair
William B. Fair
Residents of Cypress Bend RV and Condo Park

8/25/2004

Donald Eslick

From: <DocJimHug@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 10:55 AM
Subject: Re: Estero Parkway Wal-Mart

don,
happy and i back and support your position on wal-mart and the development on 41 and estero blvd.
jim
our address is 4650 via roma in the colony. this address is in estero.

Donald Eslick

From: <EVLVEL@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:13 AM
Subject: Re: Estero Parkway Wal-Mart

This is to inform you that my wife and I are in favor of your plan.
Unfortunately, I am handicapped and unable to attend any meetings that
you may hold. We wish you good luck in your endeavors and thank you for
your efforts in keeping Estero a nice place to live.

Edward and Virginia Lakes 4721
Candlestick Ct. West Estero. Fl.
33928

8/25/2004

Donald Eslick

From: "Joann & John Votaw" <joann_john_votaw@hotmail.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:14 AM
Subject: Support for rezoning of Walmart

We support ECCL effort to rezone the Walmart at U.S. 41 in Estero.
Johnvotaw and Joann Oxender

8/25/2004

Donald Eslick

From: "John P. Milcetch" <got2bfree@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 11:55 AM
Subject: Fw: Estero Parkway Wal-Mart

Hello Don,

My name is John P. Milcetch and both my wife Deborah and I support the ECCL and their position on the proposed Estero Parkway Wal-Mart. We live in Stoneybrook and the newly rezoned Wal-Mart is just what Estero needs!

I know I cannot speak for other Stoneybrook residents nor do I want to e-mail their names without their consent, but I must inform you that none of the residents I have spoken to are against Wal-Mart. Most cannot wait for the Wal-Mart opening and wish you much success in your effort.

We unfortunately will not be able to attend the meeting.

Thank-you
John P. Milcetch

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store-- Costco, Target, Home Depot, Lowe's etc. -- that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

8/25/2004

Donald Eslick

From: "Nelson Burr" <nburr@remsgroup.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 10:37 AM
Subject: Estero Wal-Mart

Dear Mr. Eslick:

I want to commend the Estero Council of Community Leaders ("ECCL") and its Wal-Mart Committee on the excellent service they have performed for the Estero Community. I have read the Estero Development Report regarding the proposed Wal-Mart super-store at the northeast corner of US 41 and Estero Parkway. As a resident of Estero I am in support of approval of zoning for Wal-Mart subject to the conditions proposed by the ECCL.

Wal-Mart has demonstrated its willingness to work with the ECCL and Lee County. I believe this is the type of business that Estero needs to attract. The economic development of the Estero must be done with the leadership of the Estero Community to achieve a balance between growth and beauty for our community.

I whole-heartedly support the ECCL and its recommendations to Lee County.

Sincerely,

Nelson M. Burr
Administrative Manager
Real Estate Management Services Group, LLC
1100 Fifth Avenue South, Suite 301
Naples, Florida 34102

8/25/2004

Donald Eslick

From: <HSCHMITT1000@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 9:51 AM
Subject: Re: Estero Parkway Wal-Mart

Greetings. I support your position on the question of Wall Mart rezoning.

Herb Schmitt
20961 Rivers Ford
Estero, FL 33928

8/25/2004

Donald Eslick

From: <NormAdrienneF@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:34 PM
Subject: Re: Estero Parkway Wal-Mart

We support the ECCL'S position on the Estero Parkway Wal Mart's rezoning . We would attend the meeting but are out of state at this time. WE WANT THE WAL MART ASAP-- WE ALSO WANT THE WIDENING OF 41 TO START ASAP & WAL MART WILL HELP WITH THAT. Norm & Adrienne Fontaine, 10821 Vireo Cir. Estero Fl.

8/25/2004

Donald Eslick

From: "Mac Thorlton" <thorlton@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 1:10 AM
Subject: RE: Estero Parkway Wal-Mart

Don,

Dianne and I support the ECCL zoning proposal.

Mac Thorlton

----- Original Message -----

From: Donald Eslick

To: Jim Paterski; Wesley Hrynchuk; Rocco Catanese; Thomas Lemond; Don Haase; Larry Stanford; Peter Manos; Judy Finan; Jim Grey; Steve Druckman; William Rogers; Laura Macione; Ray Pierce; Walt Buchner; Eric Pachner; Stanley Ries; Ellie Ely; Bob & Jane Krisher; Robert Wendig; Ken Kaminski; Jerry Kort; Kristin Zullo; Dusty Stamp; Cherie Akers; Ted Price; Henry Dagit; James S. Fraser; Sharon Galloway; Chuck Butt; Tom Moore; Marcia Trusler; John Votaw; Ron and Nancy Greenlee; Louise Greenberg; Bill & Andi Isenhour; Ruth Anne Shepard; Hal Crane; Russ Andersen; Truax I; Truax II; Truax III; Truax IV; Truax IIII; Truax IIIII; Jim McDonough; Lewis Kling; Robert Bond; John Woods; Eberhard Pfaller; Jack Vachris; Keith & Claudia Merrill; Terry McDermott; Peter Sargent; Thomas O'Dea; Linda Tanner; Nello & Kathleen Mariani; William Gess; Sarah Thompson; Kathy Malone; Brian Griffin; John Rae; Gary Cain; Don DeBord; Carol White; K Wirth; Gary Barnes; Donna Capasso; Tom Milton; Margot Wojciechowski

Sent: 8/24/2004 5:19:53 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

8/25/2004

Donald Eslick

From: "kwolters" <kwolters@comcast.net>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 8:25 AM
Subject: WalMart

Don Eslick,

Myself, Kenneth V Wolters and my wife, Susan L Wolters, support the ECCL position with reference to the building of a WalMart super store at Estero Pkwy and US 41. We appreciate all the work you and the council have done in the interest of the future Estero community. kwolters@comcast.net

FREE Emoticons for your email! [Click Here!](#)



Donald Eslick

From: <Jamork@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 6:26 AM
Subject: Re: Estero Parkway Wal-Mart

don'

thanks for update unable to attend meeting still in Mich.

I support the committees recommendation seems to be the

best alternative

jim and annemarie eastman

8/25/2004

Donald Eslick

From: "Bob Reusche" <rlreusche@hotmail.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 6:28 AM
Subject: Estero Wal Mart

I am in favor of allowing Wal Mart and ECCL's position re. same.

Regards,

Bob Reusche
4620 Torrey Pines Court
Estero

8/25/2004

Donald Eslick

From: <AJudyLee@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 8:51 AM
Subject: Walmart

Thank you for all the work you have done. I support you totally. JudyLee Alcorn

Donald Eslick

From: <HEGMEG@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:15 PM
Subject: Re: Estero Parkway Wal-Mart

We live in Breckenridge and support the building of Walmart at Estero Blvd. and Hiway 41. The widening of the road and all the concerns that Walmart has agreed to are essential to our growth and development. Please allow Walmart to build.

Elaine & Harold Green
4178 Pensacola Avenue
Estero, Fl. 33928

8/24/2004

Donald Eslick

From: "Ken Pryor" <KandRPryor@comcast.net>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:56 PM
Subject: Fw: Fw: Estero Parkway Wal-Mart

Hi Don,

I am forwarding the attached email supporting the proposed wal*mart at Estero Parkway and adding it to my own endorsement as President of our Torrey Pines Neighborhood Association in Pelican Sound.

Ken & Rose Pryor

----- Original Message -----

From: JuanitaRusk@aol.com
To: KandRPryor@comcast.net
Sent: Tuesday, August 24, 2004 9:44 PM
Subject: Re: Fw: Estero Parkway Wal-Mart

We support ECCL's position on the Estero Parkway Wal-Mart rezoning. We would welcome a Wal-Mart.
Juanita and Marvin Rusk

Donald Eslick

From: "Tony D'Eramo" <td@dera.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:35 PM
Subject: Re: Estero Parkway Wal-Mart

Don,

Since Judy, my wife, and I will not be in Florida for the hearing I wanted to be sure you and other interested parties know of our support for ECCL's position on the Estero Parkway Wal-Mart development.

Certainly all parties involved have worked long and hard to come up with a win-win situation. This development should be approved unanimously at the hearing.

Tony D'Eramo

23156 Foxberry Lane

----- Original Message -----

From: Donald Eslick

To: Dave Miller ; Nancy Cohen ; Mike Kozlow ; Bob Wilson ; Gary Iverson ; A L Rivero ; James M Hoffmann ; Bob Schultz ; Vernon L Richens ; Max Walten ; Gerald Seaman ; Stanley Stickney ; Riverwoods 1 ; John Clegg ; Linda Leblanc ; Paul Keyes ; Donna Lloyd ; John Toher ; Robert & Margery Oberheide ; Bo & Laurie King ; Jim & Audre Yates ; Tom Manuel ; Doranne O'Hare-Casto ; Betty Grosfield ; T C ; Kathleen Fitzgerald ; Tom Moehring ; REDPIE@aol.com ; Lee Powar ; Jane & Raquel Gray ; Art & Mary Graeber ; Tony D'Eramo ; Margarita Bailey ; Larry Flynn ; Neal Caple ; Gordon Banks ; Randall Espeseth ; Tom Schoenheider ; Richard Steele ; John & Brigitt Devlin ; Cynthia Janssens ; Arlene Ilyichenko ; Janet & Willam Kienle ; William & Eileen Lutz ; Marti Davis ; Joseph Curley ; Donald Fox ; Howard Meeker ; Lowell Garner ; Chuck Bruce ; Kelly Durham ; Ron & Rhea Grenier ; Barbara Weinand ; Pelican Sound 1 ; Herbert Spencer ; Art Zens ; Dot Lingren ; Gary Lindsay ; Donald Streicher ; Byron Thorsen ; Nelson Burr ; Ken & Maryann Kilponen ; John Lordi ; H Lawrence Roy ; Ivars & Gloria Kauls ; Harvey Kadlec ; Roger & Barbara Levin ; Leo & Kathy Manz ; Pat Giglio ; Don Seiler ; K Pryor ; Paricia Prominski ; Norbert Rodil ; Tom Ginzl ; Bob Welliver ; Jamie Jameson ; Elaine Boreski ; Tom & Gail Battaglini ; Larry Beemer ; Daniel Whiteman, Jr. ; John Nuccio ; Allen & Susan Meyer ; Wil & Anne Brown ; Paul Donald ; Gloria & Bill Elsea ; Robert Kopp ; Nick Licari ; Kathryn Sloan ; Larry Pointelin ; Shirley Barker ; Jim & Martha Rosasco ; Howard McKenna ; W. C. Brearley ; Tony Dalesandro ; Thomas McCarthy ; Ronald Smith ; Bill & Margaret Pratilas ; Dieter & Regina Schluter ; Russell Braese ; James & Randi Ferguson ; Gail & Richard Morneau ; Doug Dalrymple

Sent: Tuesday, August 24, 2004 8:04 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This

8/24/2004

Donald Eslick

From: "Rick Primo" <rprimo@eticonn.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:46 PM
Subject: Re: Estero Parkway Wal-Mart

Yes, I support the ECCL position on the Estero Parkway Wal-Mart rezoning. Unfortunately, I will not be able to attend the Hearing on Friday.

Richard R Primo
 10101 Bellavista Circle Unit 803
 Miromar Lakes

----- Original Message -----

From: Donald Eslick

To: Donald Laverto ; Isabel Ward ; Marie McElhiney ; Terry & Pam Doss ; Dick & Jean Hewitt ; Ellie Thompson ; Richard Zebrowski ; Stewart Hartman Jr. ; Jo & Len Fox ; Rick Primo ; Ken Axtell ; Lee & Mary Christner ; Pete Ommundson ; Nancy & Jim Elnor-Rousey ; Paul Solomons ; Dick Proctor ; Jack O'Brien ; Barbara & John McGuire ; Ramesh & Darshana Mahapatro ; Carol & Sandy Korein ; David & Janice Kellner ; Larry & Anne Jacobs ; Marty & Deanna Colon ; Pat & Ron Poitinger ; Marion & Jim Anderson ; Candace Patton ; Alan Fidler ; Rose Ann Metzler ; Daniel Vanno ; Wayne Wickens ; Daniel Richards ; Don Blatnik ; Charles Murphy ; Chet Hobert ; Sharon Kraft ; Richard & Nancy Haverly ; William Hillemeier ; Gary Neidhard ; Tom Roberts ; R E Rutledge ; Pamela Cleaves ; Alice Fjelstul ; Harry Jones ; John Noblitt ; Pat Jewell ; Anthony Messana ; Dick Powers ; John Ciccarella ; Susan McKanna ; Kenneth Otto ; Peter Wendell ; Jerry Montopoli ; Jerry Tenser ; Steve & Eunyce Prouty ; Alan Diamond ; Lillian & Ed Young ; Robert & Barbara DiMaria ; Richard & Barbara Cassa ; Douglas Porenz ; Richard Heberle ; Dann & Jane Battina ; Richard Cavuto ; John Moffa ; Henry Johnson ; Scott Singleton ; David Williams ; Pat & Dave Linegang ; George Hausman ; Mardy Minx ; Kevin & Dawn Pallett ; Annette Bitner ; Steve Dryden ; Patrick & Leonie Rogam ; Joe & JoAnn Blazek ; Richard Steele ; Sam Mayes ; Paul Berney ; Bob Brice ; Topper Brick ; Steve & Janet Broughton ; Bob Brown ; Dave & Karel Brown ; Faith Corak ; Terry & Frank Crane ; Bernie Cunningham ; Jan & Orv Druckenmiller ; Sharon Goldberg ; Sue Johnson ; Clara & George Minch ; Dave Nevins ; Erv Schmidt ; Jim Wynsma ; Carol Hadley ; Matt Smith ; Lynne Criss ; Gary Haupt ; Kieth Louiselle ; London Scialdone ; Dolly Matoian

Sent: Tuesday, August 24, 2004 8:20 AM
Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This

8/24/2004

Donald Eslick

From: "donarowe" <donarowe@earthlink.net>
To: "Lou Varljen" <lvarljen@comcast.net>
Cc: "Donald Eslick" <doneslick@worldnet.att.net>; "art nicoletti" <aan47@earthlink.net>; "Cindy Peterson" <cindyp@BonitaBayGroup.com>
Sent: Tuesday, August 24, 2004 9:19 PM
Subject: Re: Estero Parkway Wal-Mart

Lou, I agree with the opinions you expressed on the ECCL. I have taken liberty to send cc to Don Eslick, Art and Jim Merritt. Don Rowe

----- Original Message -----

From: Lou Varljen
To: donarowe
Sent: Tuesday, August 24, 2004 2:49 PM
Subject: Re: Estero Parkway Wal-Mart

Don, I for one, am of the opinion that the ECCL has represented the Estero community exceptionally well in their efforts to insure the proposed Wal-Mart on Estero Blvd. be as well planned as possible. The efforts in getting the community involvement and input has been exceptional. No one can say they have not had the opportunity to provide input if they had desired to do so.

The Vines of Estero is the closest neighbor and the most effected by Wal-Mart's proposed store. It is my understanding that the great majority of their residents are supportive of the store as proposed. This being the case, one has to question the oposition by others who are less effected or who have had little involvement in the process to date. In our democratic society we cherish in the USA, one has the opportunity to speak their mind. They also have the opportunity to be part of the decision making process and to support the decisions which are reached through this process.

It is relatively easy to take the initial position of being against any new "big box" store that may be interested in coming to our community. I for one have initially taken such positions. However, one must also listen to and weigh the alternatives that are presented in order to make decisions that are in the best interests of the entire community. In the subject case, the alternative of not supporting the store as finally proposed could leave us with much less desireable alternatives on which we would have little opportunity to provide input or to have control over their plans.

My hat is off to the ECCL and those who contributed considerable time and effort over an extended time period in reaching the conclusions that have been attained to date. Thanks!
 Lou Varljen

----- Original Message -----

From: donarowe
To: harry gaines ; Chet Nielsen ; ron pierce ; Bob Wilson ; Ray Pierce ; Tim Blaicher ; Joe Monestere ; Mike Kozlow ; Betty Grosfield ; Dave Allemong ; frank celsnak ; tom o'dea ; nick batos ; paul swain ; wilson berry ; art nicoletti ; Jan Lee ; Russ Hamm ; walt Lasota ; mike paquette ; jerry robertson ; lou varljen ; terry furhovden ; Tom Dixson ; Gary Iverson ; Greg Lewis ; Amy bosway ; Wayne Woodard ; Pat Jewell ; eileen whennen ; Dave Courtney ; Tom Caldwell
Cc: Cindy Peterson
Sent: Tuesday, August 24, 2004 8:14 AM
Subject: Fw: Estero Parkway Wal-Mart

----- Original Message -----

From: Donald Eslick
To: Don Rowe ; G. Russell Weyer ; Yannick Forrest ; Bianca Olteanu ; Jim Branden ; Alan & Margaret Ballinger ; Andrea Bach ; Andrew & Rose Siedlecki ; Arthur Carty ; Bill & Carol Price ; Bill & Jenny Frantz ; Bob Perry ; Bob Wagner ; Constantinos Levanos ; Dick McPhail ; Donald & Karen Buttrey ; Ed/Lorene Steinmetz ; George & Phyllis Mucciatti ; Greg Blurton ; Hector Robitaille ; Howard & Nancy Cohen ; James & Barbara Halverson ; James & Ellen Hollars ; Jim Hugenberg ; Jim Saylor ; Joe & Marilyn Miller ; Joe & Sarah Walsh ; John & Kathleen Swift ; Judy Teilborg ; Larry & Donna Barton ; Laurence & Ann Gormley ; Leo & Carol Tosto ; Pat & Barbara Burke ; Pat Cox ;

Donald Eslick

From: <Natharri@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:23 PM
Subject: Re: Estero Parkway Wal-Mart

Wish we could be there to help but we don't return to Florida until mid November.

Col. Nat Wisser

8/24/2004

Donald Eslick

From: "donarowe" <donarowe@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:14 PM
Subject: Fw: Fw: Estero Parkway Wal-Mart

----- Original Message -----

From: Ozbob2@aol.com
To: donarowe@earthlink.net
Sent: Tuesday, August 24, 2004 5:27 PM
Subject: Re: Fw: Estero Parkway Wal-Mart

Don Thanks for the update on Wal Mart. I don't have Elslicks e-mail but did want to respond to the request.

Jeanne and Bob Ozment support the ECCL's position on the Estero Parkway Wal Mart Rezoning.

If you would e-mail to Eslick I would appreciate it.

Thanks Bob and Jeanne

8/24/2004

Donald Eslick

From: "Edward Andelman" <eandelman2@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:22 PM
Subject: Estero Parkway Wal-Mart

Dear Mr. Eslick:

Mrs. Andelman and I feel that the ECCL Committee has done an admirable job, it representing our interests in the matter of negotiating terms with Walmart for their proposed building at Rte 41 and Estero Parkway.

The devil you know is far better than the devil we're likely to get if their proposal is rejected by virtue of an ill advised petition. We hope the ECCL prevails. Thanks for their good work.

Jeanne and Ted Andelman, 10321 Foxtail Creek Court, Estero
eandelman2@earthlink.net

8/24/2004

Donald Eslick

From: "Karlene Reilly" <KarleneReilly@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:47 PM
Subject: Re: Estero Parkway Wal-Mart

I support having a Walmart on Estero Parkway and US 41. I believe we have been well informed about the progress of the store.

8/24/2004

Donald Eslick

From: <tcdriver57@juno.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 1:02 AM
Subject: Re: Estero Parkway Wal-Mart

I wish to state my support of the position taken by the ECCL regarding the WalMart development at the corner of US 41 and Estero Blvd. The research by the ECCL has been thorough and the communication to the residents has been frequent and complete. I live in the Coconut Road, US 41 area and feel the willingness by Walmart to compromise with the residents has been proven. Any other user of the property may not be as willing to work with the community.

Mary Davis

8/24/2004

Donald Eslick

From: "Robert Sweeney" <bobsweeneyfl@yahoo.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:00 AM
Subject: Re: Estero Parkway Wal-Mart

Hi,

This Email is to register my support for the ECCL's position on the Estero Parkway Walmart Rezoning.

Robert Sweeney
 9049 Springview Loop, Estero
 Cascades Resident

Donald Eslick <doneslick@worldnet.att.net> wrote:

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

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No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

- send us an email now indicating your support for the ECCL's position on the Estero Parkway Wal-Mart rezoning; and
- join us on Friday at the Hearing so that the Hearing Examiner will not be misled into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

8/24/2004

Donald Eslick

From: "Robert D. Wagner" <RobertD58@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 6:26 AM
Subject: Re: Estero Parkway Wal-Mart

Don, Representing Lighthouse Bat Two at the Brooks, I want to support ECCL's position on the Estero Parkway Wal-Mart rezoning. I will be unable to attend the hearing on Friday since I will be out of town. Other LHB II residents will be in attendance.

Robert D. Wagner, President, LHB Two
 Representing 144 Units

----- Original Message -----

From: Donald Eslick

To: Dave Trelease ; Dan Wagner ; Tom Rainey ; Kristin Cochrane ; Jerry & Dick Hayes ; Larry Horton ; Dale Thompson ; David & Nancy Bradbury ; Pamela Jones-Morton ; Dave Lisbon ; Veronica Cridlin ; Bob Sweeney ; Mike Kyle ; Steve & Betty Shandor ; Don Hackney ; Barbara & Tom Zegil ; Bill & Joan McKnight ; Martin & Penny Lustik ; Steve & Bonnie Rimar ; Carl & Charlene Henni ; Dale Nelson ; Pat & Joseph Beausoleil ; Marjorie Pruss ; Matthew Kemmer ; Stephanie Wilt ; Nancy Foley ; Bob Noble ; Tom Gilliland ; Bob and Valerie Warren ; Dennis Anderson ; Don ??? ; Ray Glowaz ; Cas Obie ; Mary McVay ; Noel Address ; Ed Piwowar ; Bill Cessna ; Ken Kuznicki ; John & Connie Sackl ; Dee & Susan Williams ; Ralph Colter ; Blanche Moore ; Ted Figurelle ; Ione Saters ; Crystal Malik ; Marge & Ron Erickson ; Alex Struckus ; Bing Domingo ; Charlotte Katz ; Kim & Scott Johnson ; Joe Bawolek ; Santo Listro ; Kent Lewis ; Bob Jenkins ; Sue Veto ; Estelle Bazos ; Pat & Grace Fortuna ; Michael Young ; Judith & Jerry Murphy ; Hugo & Cornelia Vifian ; Barbara Goff ; Blanche Caron ; Brian & Kay Burns ; Bill Brannick ; Jim Palma ; Lighthouse 34 ; Lighthouse 11 ; Lighthouse 12 ; Lighthouse 13 ; Lighthouse 14 ; Lighthouse 15 ; Bob Taylor ; Lighthouse 17 ; Lighthouse 18 ; Lighthouse 19 ; Lighthouse 2 ; Lighthouse 20 ; Lighthouse 21 ; Lighthouse 22 ; Lighthouse 22 ; Lighthouse 23 ; Lighthouse 24 ; Lighthouse 28 ; Lighthouse 29 ; Lighthouse 3 ; Lighthouse 30 ; Lighthouse 31 ; Lighthouse 32 ; Lighthouse 33 ; Lighthouse 4 ; Lighthouse 5 ; Lighthouse 7 ; Lighthouse 8 ; Lighthouse 9

Sent: Monday, August 23, 2004 11:55 PM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not

Donald Eslick

From: "Neal Noethlich" <NealNoethlich@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 6:40 AM
Subject: RE: Estero Parkway Wal-Mart

Don Eslick,
 Chairman,
 Estero Council of Community Leaders
 RE: Proposed Walmart at U.S. 41 and Estero Parkway

I am fully in support of and applaud the efforts made and results achieved by ECCL and The Vines Community representatives in negotiations with Walmart regarding the conditions under which their proposed store on Estero Parkway can be supported. Having on several occasions during the last 17 months been a participant in these ongoing discussions, I can state unequivocally that the process and the review of and participation by many Estero citizens have been a good example of what we as a community have been trying to achieve in community planning and growth management. We may not be so fortunate if we have to undertake this again with another user which might not need rezoning in order to proceed with a project on that site.

Neal Noethlich
 Chairman
 Estero Community Planning Panel

-----Original Message-----

From: Donald Eslick [mailto:doneslick@worldnet.att.net]

Sent: Monday, August 23, 2004 11:51 PM

To: Don Rowe; G. Russell Weyer; Yannick Forrest; Bianca Olteanu; Jim Branden; Alan & Margaret Ballinger; Andrea Bach; Andrew & Rose Siedlecki; Arthur Carty; Bill & Carol Price; Bill & Jenny Frantz; Bob Perry; Bob Wagner; Constantinos Levanos; Dick McPhail; Donald & Karen Buttrey; Ed/Lorene Steinmetz; George & Phyllis Mucciatti; Greg Blurton; Hector Robitaille; Howard & Nancy Cohen; James & Barbara Halverson; James & Ellen Hollars; Jim Hugenberg; Jim Saylor; Joe & Marilyn Miller; Joe & Sarah Walsh; John & Kathleen Swift; Judy Teilborg; Larry & Donna Barton; Laurence & Ann Gormley; Leo & Carol Tosto; Pat & Barbara Burke; Pat Cox; Paul James; R. W. Collins; Rene Menguy; Russ Rees; Russell & Ellen Swank; Wayne & Susan Willenbrock; Towns, Michael; JJ Drummond, Sr.; John Hofland; Janis Carty; Dave Lundeen; John & Sharon Neville; Neal Noethlich; John Milcetic; Karlene Reilly; Al Winter; Jerry Means; Cel Aman; Gar Evers; Ken Cyrus; Ilse Lefas; Denise Bernardi; Jim DeJidas; John Seaberg; Peter Spier; John & Helga Reynolds; Edith Young; Joe Rudolph; Jim & Carol Welling; Judy & Mike Conley; Ted Andelman; Tony DeMello; Dave Burkart; Bill Morris; Joel & Ellen Shapiro; Raymond Eifler; Donna Anderton; Bill Clemens; Judy West; Paul Powers; Arnie Rosenthal; Jim Kelly; Tom Sills; Theodore Isea

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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Donald Eslick

From: <Mays99@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 6:51 AM
Subject: Estero parkway Wal-Mart rezoning

ECCL HAS REPRESENTED THE COMMUNITY WELL AND I SUPPORT THE ECCL'S POSITION ON THE ESTERO PARKWAY WAL-MART REZONING.

MAYS MONTGOMERY

8/24/2004

Donald Eslick

From: <Cwo1254@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:43 AM
Subject: Re: Estero Parkway Wal-Mart

Thanks for your support---we approve your stand on the Wal-mart issue---Please enter our support for your efforts on our behalf in our absence. We will return to Estero on October 26th, and will contact you then.

Thank you, Clyde & Mary Lou

8/24/2004

Donald Eslick

From: "Joseph Bawolek" <jebawolek@ameritech.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 7:19 AM
Subject: Re: Estero Parkway Wal-Mart

Don:

My wife and I will be unable to attend the hearing scheduled for Friday at 9 a.m. However, we wish to not only voice our support but also thank the ECCL for the work they have done regarding the rezoning for Estero Pkwy. Walmart project.

Joe & Pat Bawolek

Donald Eslick <doneslick@worldnet.att.net> wrote:

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

- send us an email now indicating your support for the ECCL's position on the Estero Parkway Wal-Mart rezoning; and
- join us on Friday at the Hearing so that the Hearing Examiner will not be misled into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

8/24/2004

Donald Eslick

From: <lewtoh@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:51 AM
Subject: Re: Estero Parkway Wal-Mart

Don:

Thanks again for all the good work you and the Committee are doing. We support you wholeheartedly 100%. We were so glad to have had the opportunity to meet you personally at Ann and Bob Huber's home recently.

Lorraine & John Toher

8/24/2004

Donald Eslick

From: "NANCY SIMONSEN" <NSIMONS@naprnp.hyatt.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:08 AM
Subject: Re: Estero Parkway Wal-Mart

Hi Don,

Nancy Simonsen from Stoneybrook here. I approve of the Wal-Mart zoning and will sign any counter-petition your group puts out.

Thanks for you continuous updates :)

Nancy Simonsen
Meeting Connections Sales Manager

Hyatt Regency Coconut Point Resort & Spa
5001 Coconut Road
Bonita Springs, FL 34134
239.390.4268-Tel
239.390.4277-Fax
nsimons@hyatt.com
Visit us at www.coconutpoint.hyatt.com

>>> "Donald Eslick" <doneslick@worldnet.att.net> 8/23/04 11:42:39 PM >>>
Dear Estero Development Report Reader:

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8/24/2004

Donald Eslick

From: <RaynJac@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:25 AM
Subject: Re: Estero Parkway Wal-Mart

We are in support of the ECCL position regarding the proposed WalMart superstore on Estero Parkway & Highway 41. We believe the parties involved have reached a reasonable and workable solution. Mr. and Mrs. Raymond Kuhl, 20671 Country Creek Drive, # 1213 Estero, FL 33928.

8/24/2004

Donald Eslick

From: <RCatanese@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:50 AM
Subject: Re: Estero Parkway Wal-Mart

Please be advised that while I am not able to attend the meeting on Friday I am in full support of the ECCL's position on the Estero Parkway Wal-Mart application for re-zoning.

Rocco J. Catanese
20641 Country Creek Dr.
Estero, FL

8/24/2004

Donald Eslick

From: "Robert E Ashe" <RobertAshe@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:40 AM
Subject: Re: Estero Parkway Wal-Mart

Hi Don

We support the ECCL's position on the Estero Parkway Wal-Mart re zoning.

Bob & Carol Ashe

----- Original Message -----

From: Donald Eslick

Sent: Monday, August 23, 2004 11:55 PM

To: John Tengblad; Amy Bosway; Gloria Baird; Cathy Zieder; Mickey Wheeler; Joe Fran Minutella; Pat McKown; Toni Verne MacLeod; Don LeRoy; Bob Dunkle; Phil DeVito; Bob Brown; David Bowser; Liesuretime Park; Sis Newberry; Richard Lynch; Don Wareham; Ervin Lyon; Chip Wyser; Charlie Bishop; Carl Hoke; ROBERTO TASSINARI; Dr. William Ertag; Dan Dronkers; Ed Piwowar; Elaine Benfield; Ray Fenton; Allen Viscott; Ron Pierce; David Brown; A. A. Blaicher; Sue Plummer; Robert E Ashe; Bonni Novak; Larry Johnson; Les & Becky Stacho; Stoneybrook Residents; Laurie Pankow; Clyde Ohrman; Jim Barnes; Bob Hartung; Marcia Andre; Cindy Reutzer-Zingraff; Art Nicoletti; John & Barbara Wood; Rick Korecki; Nora Demers; Melissa Powell; Charbel Abinajem; Robert & Patricia Lombard; Robert & Mary Cutter; Lynn Sarkela; John & Martha Howard; Russell Kraeger; Rod Marques; Don Vilnius; Suzanne Ondo; Mike Kelsey; Guy Saunders; Walt & Barb Coakley; Arn Mantilia; Dave & Pam Carlson; B K Sawchuk; Rich Costabile; Arnie Rosenthal; Ron August; Ken Zilli; George Bradley; Larry Wallace; Ken Claar; Norm & Adrienne Fontaine; Lynette Grout; Jack Tanner; Pat Cole; Grady McDaniel; Neal & Elaine Caple; Tom Burns; Jim McKinney; Steve Myers; John & Jeni Nance; Wayne Doyle; Gary Green; Elaine Gross; Kevin Hill; Jim Breitbach; Robert Davis

Subject: Estero Parkway Wal-Mart

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8/24/2004

Donald Eslick

From: "Shirley Barker" <svbarker@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:22 AM
Subject: Re: Estero Parkway Wal-Mart

Don,
 Reading your E-Mail, it sounds like the plan has been well thought out with the consequences of denying Walmart building rights causing a potentially even greater problem with another "box store." Thanks for what you do; you folks seem to be on the right track.
 Shirley and Neill Barker, Oak Run, Pelican Sound Golf and River Club.

----- Original Message -----

From: Donald Eslick

To: Dave Miller ; Nancy Cohen ; Mike Kozlow ; Bob Wilson ; Gary Iverson ; A L Rivero ; James M Hoffmann ; Bob Schultz ; Vernon L Richens ; Max Walten ; Gerald Seaman ; Stanley Stickney ; Riverwoods 1 ; John Clegg ; Linda Leblanc ; Paul Keyes ; Donna Lloyd ; John Toher ; Robert & Margery Oberheide ; Bo & Laurie King ; Jim & Audre Yates ; Tom Manuel ; Doranne O'Hare-Casto ; Betty Grosfield ; T C ; Kathleen Fitzgerald ; Tom Moehring ; REDPIE@aol.com ; Lee Powar ; Jane & Raquel Gray ; Art & Mary Graeber ; Tony D'Eramo ; Margarita Bailey ; Larry Flynn ; Neal Caple ; Gordon Banks ; Randall Espeseth ; Tom Schoenheider ; Richard Steele ; John & Brigitt Devlin ; Cynthia Janssens ; Arlene Ilyichenko ; Janet & Willam Kienle ; William & Eileen Lutz ; Marti Davis ; Joseph Curley ; Donald Fox ; Howard Meeker ; Lowell Garner ; Chuck Bruce ; Kelly Durham ; Ron & Rhea Grenier ; Barbara Weinand ; Pelican Sound 1 ; Herbert Spencer ; Art Zens ; Dot Lingren ; Gary Lindsay ; Donald Streicher ; Byron Thorsen ; Nelson Burr ; Ken & Maryann Kilponen ; John Lordi ; H Lawrence Roy ; Ivars & Gloria Kauls ; Harvey Kadlec ; Roger & Barbara Levin ; Leo & Kathy Manz ; Pat Giglio ; Don Seiler ; K Pryor ; Paricia Prominski ; Norbert Rodil ; Tom Ginzi ; Bob Welliver ; Jamie Jameson ; Elaine Boreski ; Tom & Gail Battaglini ; Larry Beemer ; Daniel Whiteman, Jr. ; John Nuccio ; Allen & Susan Meyer ; Wil & Anne Brown ; Paul Donald ; Gloria & Bill Elsea ; Robert Kopp ; Nick Licari ; Kathryn Sloan ; Larry Pointelin ; Shirley Barker ; Jim & Martha Rosasco ; Howard McKenna ; W. C. Brearley ; Tony Dalesandro ; Thomas McCarthy ; Ronald Smith ; Bill & Margaret Pratilas ; Dieter & Regina Schluter ; Russell Braese ; James & Randi Ferguson ; Gail & Richard Morneau ; Doug Dalrymple

Sent: Tuesday, August 24, 2004 8:04 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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Donald Eslick

From: <TSM1294@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:39 AM
Subject: Re: Estero Parkway Wal-Mart

I fully endorse the ECCL's proposal and support for the Wal-Mart as now planned at the intersection of US 41 and Estero Parkway.

Tom Manuel (Bonita Springs Resident)

8/24/2004

Donald Eslick

From: "Ted Figurelle" <Tedfig@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:24 AM
Attach: ATT00060.eml
Subject: Re: Estero Parkway Wal-Mart

My wife and I support this rezoning for Walmart but cannot attend the meeting on Friday as we are in Michigan at this time. Ted and Joanne Figurelle

8/24/2004

Donald Eslick

From: "THOMAS GINZL" <tjginzl@prodigy.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:25 AM
Subject: Re: Estero Parkway Wal-Mart

We support the Walmart store.

8/24/2004

Donald Eslick

From: <Veeg279@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 7:32 AM
Subject: Re: Estero Parkway Wal-Mart

Dear Don,

We are in firm support of the ECCL'S position on the Estero Parkway' proposed Wal-Mart. We are not in Florida and so cannot attend the meeting this Friday, but please consider this our voice in this matter. Thank you very much for all of your work and effort on behalf of the residents of Estero.

Gary and Veronica Vogt
23650 Via Veneto
Bonita Springs, FL 34134

8/24/2004

Donald Eslick

From: <Phillian@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 2:53 PM
Subject: Re: Estero Parkway Wal-Mart

Dear Don:

Unfortunately Lillian and I will not be able to join you at the Friday Walmart zoning hearing. However, please be assured that we are in full support of the work that has been done by ECCL in obtaining a very acceptable solution to the Walmart request and we favor the rezoning of the Estero Parkway site with the conditions as outlined in your letter.

Phil Ames
9181 Coachhouse Lane
Estero

8/24/2004

Donald Eslick

From: <RICHT1226@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:01 PM
Subject: Re: Estero Parkway Wal-Mart

I strongly support the Estero Parkway Wal Mart.

I will not be in town to attend the meeting. But, I want you to know that I support you and your efforts.

Richard W. Terlau
Estero Resident

8/24/2004

Donald Eslick

From: <jonshr500@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:16 AM
Attach: ATT00138.eml
Subject: Re: Estero Parkway Wal-Mart

Don:

I wholeheartily support the efforts of ECCL and the Walmart store at Estero Pkwy. and Rte 41. I am in the Buffalo, N.Y. area and will not return until the 29th. Therefore I cannot attend the hearing. I would if I were in town. Where were these people while the efforts were on going?

JCR

----- Original message -----

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway. In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store-- Costco, Target, Home Depot, Lowe's etc. -- that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then.

Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

- send us an email now indicating your support for the ECCL's position on the Estero Parkway Wal-Mart rezoning; and
- join us on Friday at the Hearing so that the Hearing Examiner will not be mislead into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

Thanks for all your help.

Donald Eslick

From: <johndwd@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:44 AM
Attach: ATT00142.eml
Subject: Re: Estero Parkway Wal-Mart

Dear Don and ECCL Committee Members,
Thank you so much for your efforts on our behalf in our community, and particularly regarding your Walmart rezoning effort. I whole-heartedly support your results. We must accept the fact that change occurs with growth in our community and make the best of it, dealing with it promptly and effectively, as you have done in this case.
Respectfully,
John and Barbara Wood
Wildcat Run

8/24/2004

Donald Eslick

From: <Vaughn1s@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 2:48 PM
Subject: Re: Estero Parkway Wal-Mart

Dear Estero Council of Community Leaders:

We fully support the ECCL's position on the Estero Parkway Wal-Mart rezoning. The rezoning process to date has resulted in a remarkably favorable position for South Lee County residents. To reverse this process now would unnecessarily expose our area to a far less desirable and less regulated future user of this commercial site. In addition, all users of US 41 in South Lee County will benefit from the acceleration of the scheduled widening project. Wal-Marts cooperation and financial contribution make this a realistic possibility. We greatly appreciate the tremendous job the ECCL has done in representing our interest in this matter and communicating our position to Lee County.

Sincerely,
Steven & Louisa Vaughn
The Colony

8/24/2004

Donald Eslick

From: <Knollstna@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:37 AM
Subject: Re: Estero Parkway Wal-Mart

Hi Don: I am in Ohio until October 8th, so cannot attend this Friday's meeting. However, I want to assure that I, and by far the majority of Riverwoods Plantation residents, support the results of the ECCL and it's Wall Mart committee in their negotiations. Thanks especially for your efforts in assuring that the Wall Mart store will be a good addition to Estero.
Stan Knoll

8/24/2004

Donald Eslick

From: <Lhg1309@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:22 AM
Subject: Re: Estero Parkway Wal-Mart

I support the work of the committee. Louise Greenberg, Pelican Sound

8/24/2004

Donald Eslick

From: <Mml67nh@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:19 AM
Subject: Re: Estero Parkway Wal-Mart

Max and Mary Lou Walten of Riverwoods Plantation fully support the position of the ECCL in supporting the zoning for the Estero Parkway Wal-Mart.

8/24/2004

Donald Eslick

From: <RoAchille@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:47 AM
Subject: Re: Estero Parkway Wal-Mart

We appreciate all the time and work that you have put into Estero!

We support the ECCL's Estero Pky position on the Wal Mart rezoning.

8/24/2004

Donald Eslick

From: "Larry Wallace" <lwallace@parrlaw.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:55 AM
Subject: RE: Estero Parkway Wal-Mart

My wife & I support the ECCL's position (and appreciate it efforts) fully. We own property in Spring Run and have this matter evolve with considerable interest and believe the compromises reached reflect the best in community participation in planning and land use approval processes. Because I do land use work as a profession I can understand and appreciate the process and ECCL's efforts (and Wal-Mart's concessions) from that perspective. Unfortunately we live outside FL most of the time and cannot attend the meeting, and that is one of the reasons we so appreciate your efforts.

-----Original Message-----

From: Donald Eslick [mailto:doneslick@worldnet.att.net]

Sent: Monday, August 23, 2004 10:53 PM

To: John Tengblad; Amy Bosway; Gloria Baird; Cathy Zieder; Mickey Wheeler; Joe Fran Minutella; Pat McKown; Toni Verne MacLeod; Don LeRoy; Bob Dunkle; Phil DeVito; Bob Brown; David Bowser; Liesuretime Park; Sis Newberry; Richard Lynch; Don Wareham; Ervin Lyon; Chip Wyser; Charlie Bishop; Carl Hoke; ROBERTO TASSINARI; Dr. William Ertag; Dan Dronkers; Ed Piwowar; Elaine Benfield; Ray Fenton; Allen Viscott; Ron Pierce; David Brown; A. A. Blaicher; Sue Plummer; Robert E Ashe; Bonni Novak; Larry Johnson; Les & Becky Stacho; Stoneybrook Residents; Laurie Pankow; Clyde Ohrman; Jim Barnes; Bob Hartung; Marcia Andre; Cindy Reutzer-Zingraff; Art Nicoletti; John & Barbara Wood; Rick Korecki; Nora Demers; Melissa Powell; Charbel Abinajem; Robert & Patricia Lombard; Robert & Mary Cutter; Lynn Sarkela; John & Martha Howard; Russell Kraeger; Rod Marques; Don Vilnius; Suzanne Ondo; Mike Kelsey; Guy Saunders; Walt & Barb Coakley; Arn Mantilia; Dave & Pam Carlson; B K Sawchuk; Rich Costabile; Arnie Rosenthal; Ron August; Ken Zilli; George Bradley; Larry Wallace; Ken Claar; Norm & Adrienne Fontaine; Lynette Grout; Jack Tanner; Pat Cole; Grady McDaniel; Neal & Elaine Caple; Tom Burns; Jim McKinney; Steve Myers; John & Jeni Nance; Wayne Doyle; Gary Green; Elaine Gross; Kevin Hill; Jim Breitbach; Robert Davis

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store-- Costco, Target, Home Depot, Lowe's etc. -- that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart

8/24/2004

Donald Eslick

From: <KWirth18@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:36 PM
Subject: suppositiort position on Wal-Malmart

I support your position on the proposed Wal-Mart at Rt 41 and Estero Blvd.

Kathy Wirth
10311 Autumn Breeze Dr., #102
Shadow Wood at the Brooks
BOnita Springs, FL 34134

8/24/2004

Donald Eslick

From: "larry rich" <lkrich@citcom.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 3:46 PM
Subject: RE: Estero Parkway Wal-Mart

Don,

We are unable to attend the hearing. However, we agree that the ECCL has represented the citizens of Estero appropriately in this matter. Further we support the position of the ECCL on the Wal Mart rezoning.

Thank you and all the ECCL members for the hard work and acceptable resolution of this matter.

Larry and Kathy Rich
4711 Via Teramo
Bonita Springs, FL

8/24/2004

Donald Eslick

From: "Kristin Teschke" <kmcochra@eagle.fgcu.edu>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 1:01 PM
Subject: Re: Estero Parkway Wal-Mart

I suppose if our choices are a refined Wal-Mart and accelerated widening of the roads, or opening ourselves up to the risk of a unrefined future big store taking that area anyway and delay on widening of the roads, then the lesser of two evils would be to go with Wal-Mart. I'd really rather not EVER see a Wal-Mart in Estero as I hate the Wal-Mart experience, but if we are stuck between a rock and a hard place....

On Mon, 23 Aug 2004 23:55:24 -0400, Donald Eslick wrote

> Dear Estero Development Report Reader:

>

> The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and
Estero Parkway

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> Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

>

> Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit

8/24/2004

Donald Eslick

From: "Kevin Powers" <kpowers1013@hotmail.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 4:00 PM
Subject: RE: Estero Parkway Wal-Mart

You have my support 1000%.

These petition groups don't understand progress and rebel because they have not participated in the meetings and process during open discussion.

Most signatures obtained on a petition are obtained without the signer having the first clue as to what they are signing or being told a biased perspective held by the signer.

Unfortunately, we live in a society of the silent majority.

When the petitioners have paid their dues by giving up their personal time serving others in a non-biased forum, I will heed them their due. Until then, they have no impact on my views.

Kevin M. Powers
 20451 Rookery Drive
 Estero FL 33928
kpowers1013@hotmail.com
 239-498-8718

>From: "Donald Eslick" <doneslick@worldnet.att.net> >To: "Isabel Ward" <izward@hotmail.com>,"Donald Laverto" <donlaverto@aol.com>,"Barbara & Mark Michel" <markmich37@aol.com>,"Rich & Paulette Robinson" <rrobinson101@comcast.net>,"Richard Piester" <piester78@earthlink.net>,"Dave Hurst" <d47hur@aol.com>,"Jim & Nancy Walts" <jjwalts@msn.com>,"John & Janet Turner" <bigjohn@gbronline.com>,"Helen & Sherman Hayes" <hehaytwo@aol.com>,"Owen Bahner" <lobahner@juno.com>,"William Fair" <carolynfromin@sbcglobal.net>,"Shirley Lichtenberg" <saldwl@gte.net>,"Earl Schulz" <alyearl@webtv.net>,"William Worley" <worley@chilitech.com>,"Herb Walker" <hwlkr0326@aol.com>,"Fred & Joan Moore" <fjmoore@prodigy.net>,"Dan Schultz" <schultda@yahoo.com>,"Gracie Goebel" <jggoebel@aol.com>,"Jack Perron" <jperron5@comcast.net>,"Charlotte Lipker" <lipkersr@aol.com>,"Robert Gepfert" <gigi64@earthlink.net>,"Suzanne Tobin" <tobins@centurytel.net>,"Glenn Heckman" <janglenn@juno.com>,"Paul Johnson" <jtimesfour5@juno.com>,"Ralph & Patricia Peck" <repeck@juno.com>,"John Dolan" <jackel51@comcast.net>,"Paul & Carol Anetsberger" <pcanets@nnex.net>,"Harold & Glenda Hamblin" <halglenda@juno.com>,"Joseph Hagan" <jhagan3125@aol.com>,"Phyllis Stanley" <phyllis1334@aol.com>,"Richard & Barb Jansky" <rjansky@earthlink.net>,"Edward Laderer" <mzladerer@juno.com>,"Florence Malizola" <flowm@earthlink.net>,"Allan Morgan" <allanawm7@aol.com>,"Philip & Meredith Clark" <meredithnphil@aol.com>,"Merlin Dewar" <docmardew@earthlink.net>,"Ken Truax" <ktruax@aol.com>,"Cheryl Huban" <cherylhuban@excite.com>,"Roger & Mimi Holly" <Netrooky@aol.com>,"Don & Marti Pries" <dampes@aol.com>,"Tonny Vanderleeden" <tval@earthlink.net>,"Joe Wallace" <wallacej@att.net>,"Kevin & Lynette Powers" <kpowers1013@hotmail.com>,"Don Graves" <gravesde@netzero.net>,"Gerald & Joanne Dworakowski" <gerryjoanne@earthlink.net>,"Noname Sheddric" <gshedrick@comcast.com>,"Tim Prentis" <tprentis@swfla.rr.com>,"Mike Brewer" <mbrewer@hrblock.com>,"Micheal Trevola" <zeepepe@aol.com>,"Pat Tretola" <ciaorossi@aol.com>,"Donald Hansen" <donaldjhansen@comcast.net>,"Joe & Diane Millowzi" <jdpm08@swfla.rr.com>,"Joe Namath" <jnamath@swfla.rr.com>,"Joe Mackle" <carguyolojoe@aol.com>,"Thomas Johnson" <tjstck4192@aol.com>,"Andrew Calder" <acalder@uwalumni.com>,"Eric Weir" <eweir@allstream.net>,"Jerry & Mona Mason" <mojemason@aol.com>,"Ann & John Drake" <ajjd691@aol.com>,"Wimp Moyer" <WRMMAM@AOL.COM>,"Mark Stiggleman" <mstiggleman@grandezzacc.com>,"Barbara Seiberling" <bararjs912@aol.com>,"Roberta Golfes" <rpcondo@aol.com>,"Jeanette Igoe" <jigoe5@aol.com>,"Earl & Dorothy Billing" <dortbill@swfla.rr.com>,"Candace Farmer" <CEESHELLS@aol.com>,"Len Hendrickson" <llhen@comcast.net>,"Barb Kalmes" <Cheech&papa@aol.com>,"Barb Nolan" <Belke99@aol.com>,"Terry Fletcher" <tfletcher@swfla.rr.com>,"Harold Straka" <HaroldStraka@aol.com>,"John Griesbaum" <dgriesbaum@earthlink.com>,"Sharon Doerr" <sharondoerr@comcast.net>,"Lynn Adams" <lfadams@attglobal.net>,"William & Barbara Alberts" <Alberts22@aol.com>,"John & Helga Arthur" <hsarthur@comcast.net>,"Bud & Marsha Avery" <marshaavery@comcast.net>,"Tim & Jeanne Beffa" <tbeffa@sbcglobal.net>,"Richard Bergstrom" <rebernstrom@comcast.net>,"Andre Blay" <ablay@comcast.net>,"Elias & Mary Bricolas" <bricolas@aol.com>,"Bill & Vivian Briggs" <flamingoviv@aol.com>,"Roger & Susan Brown" <rbrown1@aol.com>,"Dick & Trish Davidson" <dickdavidson@up.com>,"Vivian Dicenso" <vgionti8@comcast.com>,"Donn & Janet Dickerson" <ddickerson@walnutstreet.com>,"Barth Doroshuk" <newportavenue@msn.com>,"Jim Eastman" <jamorlk@aol.com>,"James & Deborah Forstner" <jimforstner@earthlink.net>,"Anita And Robert Foster" <rgfacf@juno.com>,"Gwen & James Fountain" <jfountain20@comcast.net>,"Joe & Mary Jo Gatti" <mjgatti@comcast.net>,"Bob & Irene Gillespie" <rgillespie@symatico.ca>,"Paul & Peggy Hoefler" <phoefler@comcast.net>,"Marv & Elise Howard" <eliseb@universitymoving.com>,"Dale & Harriett Jones"

Donald Eslick

From: "john noblitt" <jrnobby@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 3:39 PM
Subject: Re: Estero Parkway Wal-Mart

Don:

Thank you and your committee for all the many hours spent to assure Estero remains a premier community in South West Florida.

I certainly support the approval of Wal-Mart building and operating a supercenter on Estero Boulevard with the restrictions negotiated by your team.

John Noblitt----- Original Message -----

From: Donald Eslick

To: Donald Laverto ; Isabel Ward ; Marie McElhiney ; Terry & Pam Doss ; Dick & Jean Hewitt ; Ellie Thompson ; Richard Zebrowski ; Stewart Hartman Jr. ; Jo & Len Fox ; Rick Primo ; Ken Axtell ; Lee & Mary Christner ; Pete Ommundson ; Nancy & Jim Elnor-Rousey ; Paul Solomons ; Dick Proctor ; Jack O'Brien ; Barbara & John McGuire ; Ramesh & Darshana Mahapatro ; Carol & Sandy Korein ; David & Janice Kellner ; Larry & Anne Jacobs ; Marty & Deanna Colon ; Pat & Ron Poitinger ; Marion & Jim Anderson ; Candace Patton ; Alan Fidler ; Rose Ann Metzler ; Daniel Vanno ; Wayne Wickens ; Daniel Richards ; Don Blatnik ; Charles Murphy ; Chet Hobert ; Sharon Kraft ; Richard & Nancy Haverly ; William Hillemeyer ; Gary Neidhard ; Tom Roberts ; R E Rutledge ; Pamela Cleaves ; Alice Fjelstul ; Harry Jones ; John Noblitt ; Pat Jewell ; Anthony Messina ; Dick Powers ; John Ciccarella ; Susan McKanna ; Kenneth Otto ; Peter Wendell ; Jerry Montopoli ; Jerry Tenser ; Steve & Eunyce Prouty ; Alan Diamond ; Lillian & Ed Young ; Robert & Barbara DiMaria ; Richard & Barbara Cassa ; Douglas Porenz ; Richard Heberle ; Dann & Jane Battina ; Richard Cavuto ; John Moffa ; Henry Johnson ; Scott Singleton ; David Williams ; Pat & Dave Linegang ; George Hausman ; Mardy Minx ; Kevin & Dawn Pallett ; Annette Bitner ; Steve Dryden ; Patrick & Leonie Rogam ; Joe & JoAnn Blazek ; Richard Steele ; Sam Mayes ; Paul Berney ; Bob Brice ; Topper Brick ; Steve & Janet Broughton ; Bob Brown ; Dave & Karel Brown ; Faith Corak ; Terry & Frank Crane ; Bernie Cunningham ; Jan & Orv Druckenmiller ; Sharon Goldberg ; Sue Johnson ; Clara & George Minch ; Dave Nevins ; Erv Schmidt ; Jim Wynsma ; Carol Hadley ; Matt Smith ; Lynne Criss ; Gary Haupt ; Kieth Louiselle ; London Scialdone ; Dolly Matoian

Sent: Tuesday, August 24, 2004 8:20 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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Donald Eslick

From: "Elaine Benfield" <ebenfield@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:25 AM
Subject: RE: Estero Parkway Wal-Mart

Don,

As always, thank you for your dedication to Estero and its residents. Please include my name in the list of those that support the ECCL's position on the Estero Parkway Wal-Mart rezoning. Since I am employed full time I will not be able to attend the meeting Friday morning. Please be my voice.

Thank you!
Elaine Benfield
Stoneybrook
21557 Berwhich Run
Estero, FL 33928

8/24/2004

Donald Eslick

From: <johndwd@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:44 AM
Attach: ATT00179.eml
Subject: Re: Estero Parkway Wal-Mart

Dear Don and ECCL Committee Members,
Thank you so much for your efforts on our behalf in our community, and particularly regarding your Walmart rezoning effort. I whole-heartedly support your results. We must accept the fact that change occurs with growth in our community and make the best of it, dealing with it promptly and effectively, as you have done in this case.
Respectfully,
John and Barbara Wood
Wildcat Run

8/24/2004

Donald Eslick

From: <PaulxJames@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:01 PM
Subject: Re: Estero Parkway Wal-Mart- "We Support ECCL Recommendation"

TO: ECCL Committee

FROM: Paul & Barbara James - voters, homeowners, taxpayers, residents of 23650 Via Venteo Blvd., Bonita Springs, FL 34134.

You are authorized to use our email comments. We support the ECCL position & recommendations regarding Walmart-Estero.

More specifically, we agree with their statements:

"... the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011."

We also agree with the following statement:

"Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner."

We think the ECCL has represented us well in this matter. We do not think a small "petition" should disrupt the efforts of 2+ years of the ECCL's efforts. If they have not participated in the "process", they should not be allowed to disrupt its' successes. Thank you.

8/24/2004

Donald Eslick

From: "Peter Sargent" <sargent365@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:52 AM
Subject: Re: Estero Parkway Wal-Mart

Hi Don

I fully support what the ECCL has achieved in its detailed discussions with Wal-Mart and the Estero Parkway rezoning and look forward to seeing the widening of US 41 starting in 2006.

Regards,
 Peter

----- Original Message -----

From: Donald Eslick

To: Jim Paterski ; Wesley Hrynchuk ; Rocco Catanese ; Thomas Lemond ; Don Haase ; Larry Stanford ; Peter Manos ; Judy Finan ; Jim Grey ; Steve Druckman ; William Rogers ; Laura Macione ; Ray Pierce ; Walt Buchner ; Eric Pachner ; Stanley Ries ; Ellie Ely ; Bob & Jane Krisher ; Robert Wendig ; Ken Kaminski ; Jerry Kort ; Kristin Zullo ; Dusty Stamp ; Cherie Akers ; Ted Price ; Henry Dagit ; James S. Fraser ; Sharon Galloway ; Chuck Butt ; Tom Moore ; Marcia Trusler ; John Votaw ; Ron and Nancy Greenlee ; Louise Greenberg ; Bill & Andi Isenhour ; Ruth Anne Shepard ; Hal Crane ; Russ Andersen ; Truax I ; Truax II ; Truax III ; Truax IV ; Truax IIII ; Truax IIIII ; Jim McDonough ; Lewis Kling ; Robert Bond ; John Woods ; Eberhard Pfaller ; Jack Vachris ; Keith & Claudia Merrill ; Terry McDermott ; Peter Sargent ; Thomas O'Dea ; Linda Tanner ; Nello & Kathleen Mariani ; William Gess ; Sarah Thompson ; Kathy Malone ; Brian Griffin ; John Rae ; Gary Cain ; Don DeBord ; Carol White ; K Wirth ; Gary Barnes ; Donna Capasso ; Tom Milton ; Margot Wojciechowski

Sent: Tuesday, August 24, 2004 8:19 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

8/24/2004

Donald Eslick

From: "Philip Douglas" <pdindy@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:36 AM
Subject: Re: Estero Parkway Wal-Mart

Dear Don:

My wife and I **fully support** your efforts to give us the best possible development and that includes the Walmart at Estero Parkway and U.S. 41. We have entirely too many nay sayers in our community here at the Brooks. Many of these nay sayers are not even permanent residents which grates the hell out of me. We are two Brooks residents from Lighthouse Bay that fully support your efforts and realize that we need to do what is the best for the future of our community.

Keep up the good work and keep us informed. We have entirely too much ignorance when it comes to doing what is best for our community.

Sincerely

Phil and Maralee Douglas
 10304 Cape Roman Road.

----- Original Message -----

From: Donald Eslick

To: Dave Trelease ; Dan Wagner ; Tom Rainey ; Kristin Cochrane ; Jerry & Dick Hayes ; Larry Horton ; Dale Thompson ; David & Nancy Bradbury ; Pamela Jones-Morton ; Dave Lisbon ; Veronica Cridlin ; Bob Sweeney ; Mike Kyle ; Steve & Betty Shandor ; Don Hackney ; Barbara & Tom Zegil ; Bill & Joan McKnight ; Martin & Penny Lustik ; Steve & Bonnie Rimar ; Carl & Charlene Henni ; Dale Nelson ; Pat & Joseph Beausoleil ; Marjorie Pruss ; Matthew Kemmer ; Stephanie Wilt ; Nancy Foley ; Bob Noble ; Tom Gilliland ; Bob and Valerie Warren ; Dennis Anderson ; Don ??? ; Ray Glowaz ; Cas Obie ; Mary McVay ; Noel Andress ; Ed Piwowar ; Bill Cessna ; Ken Kuznicki ; John & Connie Sackl ; Dee & Susan Williams ; Ralph Colter ; Blanche Moore ; Ted Figurelle ; Ione Saters ; Crystal Malik ; Marge & Ron Erickson ; Alex Struckus ; Bing Domingo ; Charlotte Katz ; Kim & Scott Johnson ; Joe Bawolek ; Santo Listro ; Kent Lewis ; Bob Jenkins ; Sue Veto ; Estelle Bazos ; Pat & Grace Fortuna ; Michael Young ; Judith & Jerry Murphy ; Hugo & Cornelia Vifian ; Barbara Goff ; Blanche Caron ; Brian & Kay Burns ; Bill Brannick ; Jim Palma ; Lighthouse 34 ; Lighthouse 11 ; Lighthouse 12 ; Lighthouse 13 ; Lighthouse 14 ; Lighthouse 15 ; Bob Taylor ; Lighthouse 17 ; Lighthouse 18 ; Lighthouse 19 ; Lighthouse 2 ; Lighthouse 20 ; Lighthouse 21 ; Lighthouse 22 ; Lighthouse 22 ; Lighthouse 23 ; Lighthouse 24 ; Lighthouse 28 ; Lighthouse 29 ; Lighthouse 3 ; Lighthouse 30 ; Lighthouse 31 ; Lighthouse 32 ; Lighthouse 33 ; Lighthouse 4 ; Lighthouse 5 ; Lighthouse 7 ; Lighthouse 8 ; Lighthouse 9

Sent: Tuesday, August 24, 2004 12:55 AM

Subject: Estero Parkway Wal-Mart

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8/24/2004

Donald Eslick

From: <EYoung2980@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:54 PM
Subject: Re: Estero Parkway Wal-Mart

Dear ECCL:

I support your work on the Estero Parkway Wal-Mart and the zoning changes that you have worked to get implemented.

Lillian and Edward Young

8/24/2004

Donald Eslick

From: <EDITH3@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 1:01 PM
Subject: Re: Estero Parkway Wal-Mart

I definitely support your positioning on the Walmart rezoning issue

Claire Hauenstein
Grandezza

8/24/2004

Donald Eslick

From: "Ed Grusch" <ezedward@yahoo.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:31 AM
Subject: Re: Estero Parkway Wal-Mart

We fully support the position of ECCL re the Walmart store proposed for the corner of 41 and Estero Parkway.

Ed and Sylvia Grusch
 20210 Calice CT Unit 202
 Estero FL 33928

Donald Eslick <doneslick@worldnet.att.net> wrote:

Dear Estero Development Report Reader:

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Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

If you think the ECCL has represented you well in this matter:

- send us an email now indicating your support for the ECCL's position on the Estero Parkway Wal-Mart rezoning; and
- join us on Friday at the Hearing so that the Hearing Examiner will not be mislead into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

Thanks for all your help.

8/24/2004

Donald Eslick

From: <dvamigo@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:44 AM
Attach: ATT00352.eml
Subject: Re: Estero Parkway Wal-Mart

Dear Mr. Eslick,

We support the position of the ECCL on the Wal-Mart project, located naer Estero Parway and US 41. We also appreciate the long hours devoted by yourself and many other members of the Community, over the past 18 months, to bring this issue to an acceptable conclusion.

Sincerely, Don & Mary Vilnius, 22199 Natures Cove Ct., Estero, FL 33928

----- Original message -----

Dear Estero Development Report Reader:

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- join us on Friday at the Hearing so that the Hearing Examiner will not be mislead into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

Thanks for all your help.

Donald Eslick

From: "Donnel Dickerson" <ddickerson@walnutstreet.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:46 AM
Subject: Re: Estero Parkway Wal-Mart

Don, Again, thanks for all of your work as well as those who have supported you. We are certainly in favor of the Estero Parkway Wal-Mart proposal. DONN & JANET DICKERSON

----- Original Message -----

From: Donald Eslick

To: Isabel Ward ; Donald Laverto ; Barbara & Mark Michel ; Rich & Paulette Robinson ; Richard Piester ; Dave Hurst ; Jim & Nancy Walts ; John & Janet Turner ; Helen & Sherman Hayes ; Owen Bahner ; William Fair ; Shirley Lichtenberg ; Earl Schulz ; William Worley ; Herb Walker ; Fred & Joan Moore ; Dan Schultz ; Gracie Goebel ; Jack Perron ; Charlotte Lipker ; Robert Gepfert ; Suzanne Tobin ; Glenn Heckman ; Paul Johnson ; Ralph & Patricia Peck ; John Dolan ; Paul & Carol Anetsberger ; Harold & Glenda Hamblin ; Joseph Hagan ; Phyllis Stanley ; Richard & Barb Jansky ; Edward Laderer ; Florence Malizola ; Allan Morgan ; Philip & Meredith Clark ; Merlin Dewar ; Ken Truax ; Cheryl Huban ; Roger & Mimi Holly ; Don & Marti Pries ; Tonny Vanderleeden ; Joe Wallace ; Kevin & Lynette Powers ; Don Graves ; Gerald & Joanne Dworakowski ; Noname Sheddric ; Tim Prentis ; Mike Brewer ; Micheal Trevola ; Pat Tretola ; Donald Hansen ; Joe & Diane Millowzi ; Joe Namath ; Joe Mackle ; Thomas Johnson ; Andrew Calder ; Eric Weir ; Jerry & Mona Mason ; Ann & John Drake ; Wimp Moyer ; Mark Stiggleman ; Barbara Seiberling ; Roberta Golfes ; Jeanette Igoe ; Earl & Dorothy Billing ; Candace Farmer ; Len Hendrickson ; Barb Kalmes ; Barb Nolan ; Terry Fletcher ; Harold Straka ; John Griesbaum ; Sharon Doerr ; Lynn Adams ; William & Barbara Alberts ; John & Helga Arthur ; Bud & Marsha Avery ; Tim & Jeanne Beffa ; Richard Bergstrom ; Andre Blay ; Elias & Mary Bricolas ; Bill & Vivian Briggs ; Roger & Susan Brown ; Dick & Trish Davidson ; Vivian Dicenso ; Donn & Janet Dickerson ; Barth Doroshuk ; Jim Eastman ; James & Deborah Forstner ; Anita And Robert Foster ; Gwen & James Fountain ; Joe & Mary Jo Gatti ; Bob & Irene Gillespie ; Paul & Peggy Hoefer ; Marv & Elise Howard ; Dale & Harriett Jones ; Martin & Heide Kamber ; Peter & Carol Karas ; Jay & Melody Key

Sent: Tuesday, August 24, 2004 8:22 AM

Subject: Estero Parkway Wal-Mart

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8/24/2004

Donald Eslick

From: "Diane Ferrando" <Dianef@BonitaBayGroup.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:50 AM
Subject: RE: Estero Parkway Wal-Mart

Don I support the ECCL, and think Wal-Mart has worked well with the Estero Community.

-----Original Message-----

From: Donald Eslick [mailto:doneslick@worldnet.att.net]

Sent: Monday, August 23, 2004 11:43 PM

To: Cindy Peterson; Candy Boothe; Pat Smart; Kathy Sabarese; Tom Guenther; Bernie McNamara; Bill Hughes; Dick Marilley; Ed Blinn; Tom Sullivan; Betty Smith; Bill Scherer; David Osbun; Kandy Koop; Ken Strumm; Judith Kemble; Marion Weinberger; Nelson Glueck; Michael DeVito; Ernie Hood; Diane Juneau; David Courtney; Marilyn Donaldson; Tom Ostrem; Pat Nolander; Norine Armstrong; Jerry Martin; Johnny Brown; Roger & Mimi Holly; Nat Wisser; Dave Cornelius; ??????? ?????; Deziree Bowles; John Brenton; Don TeBeau; Ken Scheele; Tom Nolte; Kirk Teschke; Sunny Molle; Carl Evans; Herb Schmitt; Frank Binka; Bob Hoffman; Herman Myers; Robert Szymczak; NANCY SIMONSEN; Ed Anderson; Gayle Sassano; Dave Rydahl; Marie Vanderford; Ed Blackman; Bruce Stewart; Grant Keiser; Diane Ferrando; Karyn Kenner; Linda Horne; Jack Eikenberg; Irene Kievat; Al & Ruth Jensen; Pat Coulter; Ann Williams; Gene Hirsch; Meg Judge; Claude Williams

Subject: Estero Parkway Wal-Mart

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No doubt the petition group plans to attend the Hearing Examiner's hearing on Friday at 9 a.m. at the County Community Development Building, 1500 Monroe Street, Fort Myers.

Donald Eslick

From: "dhackney" <dhackney@swfla.rr.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Wednesday, August 25, 2004 8:47 AM
Subject: Re: Estero Parkway Wal-Mart

We are 100% in favor of the Wal-Mart plan as negotiated by your group. If we don't get Wal-Mart who knows what we might end up with at the corner os Estero Pkwy!
Don Hackney[soon to be resident of Cascades]

----- Original Message -----

From: Donald Eslick

To: Dave Trelease ; Dan Wagner ; Tom Rainey ; Kristin Cochran ; Jerry & Dick Hayes ; Larry Horton ; Dale Thompson ; David & Nancy Bradbury ; Pamela Jones-Morton ; Dave Lisbon ; Veronica Cridlin ; Bob Sweeney ; Mike Kyle ; Steve & Betty Shandor ; Don Hackney ; Barbara & Tom Zegil ; Bill & Joan McKnight ; Martin & Penny Lustik ; Steve & Bonnie Rimar ; Carl & Charlene Henni ; Dale Nelson ; Pat & Joseph Beausoleil ; Marjorie Pruss ; Matthew Kemmer ; Stephanie Wilt ; Nancy Foley ; Bob Noble ; Tom Gilliland ; Bob and Valerie Warren ; Dennis Anderson ; Don ??? ; Ray Glowaz ; Cas Obie ; Mary McVay ; Noel Andress ; Ed Piwowar ; Bill Cessna ; Ken Kuznicki ; John & Connie Sackl ; Dee & Susan Williams ; Ralph Colter ; Blanche Moore ; Ted Figurelle ; Ione Saters ; Crystal Malik ; Marge & Ron Erickson ; Alex Struckus ; Bing Domingo ; Charlotte Katz ; Kim & Scott Johnson ; Joe Bawolek ; Santo Listro ; Kent Lewis ; Bob Jenkins ; Sue Veto ; Estelle Bazos ; Pat & Grace Fortuna ; Michael Young ; Judith & Jerry Murphy ; Hugo & Cornelia Vifian ; Barbara Goff ; Blanche Caron ; Brian & Kay Burns ; Bill Brannick ; Jim Palma ; Lighthouse 34 ; Lighthouse 11 ; Lighthouse 12 ; Lighthouse 13 ; Lighthouse 14 ; Lighthouse 15 ; Bob Taylor ; Lighthouse 17 ; Lighthouse 18 ; Lighthouse 19 ; Lighthouse 2 ; Lighthouse 20 ; Lighthouse 21 ; Lighthouse 22 ; Lighthouse 22 ; Lighthouse 23 ; Lighthouse 24 ; Lighthouse 28 ; Lighthouse 29 ; Lighthouse 3 ; Lighthouse 30 ; Lighthouse 31 ; Lighthouse 32 ; Lighthouse 33 ; Lighthouse 4 ; Lighthouse 5 ; Lighthouse 7 ; Lighthouse 8 ; Lighthouse 9

Sent: Monday, August 23, 2004 11:55 PM

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8/24/2004

Donald Eslick

From: "Deanna Cummings" <cummingsflmn@earthlink.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:57 AM
Subject: Re: Estero Parkway Wal-Mart

We do support all the effort your committee has shown with this huge project. The people that are circulating a petition must not be informed about all of the concessions that the Walmart Co has made.
Edward and Deanna Cummings
Lighthouse Bay
The Brooks

8/24/2004

Donald Eslick

From: <COASTERNUTS@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:56 AM
Subject: Re: Estero Parkway Wal-Mart

We approve the ECCL position on the building of a Wal-Mart store at US41 and Estero Parkway. We will try to attend the Hearing on Friday at 9am.

Steve and Betty Shandor
9182 Springview Loop
Cascades @ Estero
Estero FL 33928

8/24/2004

Donald Eslick

From: <CESB1@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:37 AM
Subject: Re: Estero Parkway Wal-Mart

Don,
Congratulations on the results of the Wal-Mart negotiations. I am delighted to know that Wal-Mart is willing to work with the community. I hope that the results are as agreed and that the store is successful.

Steve Bartholf

8/24/2004

Donald Eslick

From: "Carol Dievendorf" <Grammadorf@webtv.net>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 1:02 PM
Subject: Walmart

Yes we are in favor of what the ECCL is doing in the case of a new Walmart Superstore.

We are part time residents in Corkscrew Woodland.

Carol & Fred Dievendorf

8/24/2004

Donald Eslick

From: "Brewer, Michael" <mbrewer@hrblock.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:31 AM
Subject: RE: Estero Parkway Wal-Mart

The ECCL has done a great job to ensure that not just any business come into our community and build what they think is appropriate. The ECCL's work is doing a great job ensuring the community of Estero be a place we are all proud to call home. We support the ECCL's position on the Estero Parkway Wal-Mart rezoning.

Mike and Vanessa Brewer
9680 Falconer Way
Estero, FL 33928

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- join us on Friday at the Hearing so that the Hearing Examiner will not be misled into thinking that the Estero community opposes the Wal-Mart rezoning as the petitioners hope to show.

Thanks for all your help.

Note: This message, including attachments, is from H&R Block Financial Advisors, Inc. Member NYSE, SIPC. This is not a solicitation of any order to buy or sell. The information contained herein is deemed to be reliable but is in no way warranted by us as to accuracy or completeness. Messages are monitored and retained by the Company, but the company cannot guarantee the security of this message. The company, and its associates, may not accept orders to affect purchase or sale transactions, accept funds, securities, or similar instructions via email. If you are not the intended recipient of this message promptly delete this message and notify the sender of the delivery error by return email or calling 1.800.HRBLOCK and selecting the option for 'Financial Services' You may not forward, print, copy, distribute, or use the information in this message if you are not the intended recipient.

Donald Eslick

From: "Bonni Novak" <GenevaBonni@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:07 PM
Subject: Re: Estero Parkway Wal-Mart

I am in support of the ECCL's position.

Please add me to your email list as when I changed carriers' I was deleted. Thanks. Bonni Novak

GenevaBonni@comcast.net

----- Original Message -----

From: Donald Eslick

To: [Jim Paterski](#) ; [Wesley Hrynychuk](#) ; [Rocco Catanese](#) ; [Thomas Lemond](#) ; [Don Haase](#) ; [Larry Stanford](#) ; [Peter Manos](#) ; [Judy Finan](#) ; [Jim Grey](#) ; [Steve Druckman](#) ; [William Rogers](#) ; [Laura Macione](#) ; [Ray Pierce](#) ; [Walt Buchner](#) ; [Eric Pachner](#) ; [Stanley Ries](#) ; [Ellie Ely](#) ; [Bob & Jane Krisher](#) ; [Robert Wendig](#) ; [Ken Kaminski](#) ; [Jerry Kort](#) ; [Kristin Zullo](#) ; [Dusty Stamp](#) ; [Cherie Akers](#) ; [Ted Price](#) ; [Henry Dagit](#) ; [James S. Fraser](#) ; [Sharon Galloway](#) ; [Chuck Butt](#) ; [Tom Moore](#) ; [Marcia Trusler](#) ; [John Votaw](#) ; [Ron and Nancy Greenlee](#) ; [Louise Greenberg](#) ; [Bill & Andi Isenhour](#) ; [Ruth Anne Shepard](#) ; [Hal Crane](#) ; [Russ Andersen](#) ; [Truax I](#) ; [Truax II](#) ; [Truax III](#) ; [Truax IV](#) ; [Truax IIII](#) ; [Truax IIIII](#) ; [Jim McDonough](#) ; [Lewis Kling](#) ; [Robert Bond](#) ; [John Woods](#) ; [Eberhard Pfaller](#) ; [Jack Vachris](#) ; [Keith & Claudia Merrill](#) ; [Terry McDermott](#) ; [Peter Sargent](#) ; [Thomas O'Dea](#) ; [Linda Tanner](#) ; [Nello & Kathleen Mariani](#) ; [William Gess](#) ; [Sarah Thompson](#) ; [Kathy Malone](#) ; [Brian Griffin](#) ; [John Rae](#) ; [Gary Cain](#) ; [Don DeBord](#) ; [Carol White](#) ; [K Wirth](#) ; [Gary Barnes](#) ; [Donna Capasso](#) ; [Tom Milton](#) ; [Margot Wojciechowski](#)

Sent: Tuesday, August 24, 2004 8:19 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store-- Costco, Target, Home Depot, Lowe's etc. -- that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate the availability of the \$17 million now budgeted by FDOT in 2008. Construction cannot start before 2006 because the segment's permitting and Right-of-Way phase will not be completed until then. Without Wal-Mart the widening of US 41 is not likely to be completed until 2010 or 2011.

Unfortunately, some Estero residents who have not participated in this process are circulating a petition in opposition to the Wal-Mart rezoning. If they succeed the Community will lose probably the country's finest Wal-Mart store and its only real opportunity to start the widening of US 41 in 2006 instead of 2008 and leave ourselves vulnerable to a far worse use of this critical corner.

Donald Eslick

From: "Bill Pritts" <billpritts@hotmail.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:59 AM
Attach: Estero Development Report Articles 8-20-04.doc
Subject: Fw: Estero Parkway Wal-Mart

Hello Don, although I personally do not want or need another Wal-Mart (or any other big-box store) in my neighborhood, I believe that the proposal that has been negotiated with Wal-Mart makes sense and I support it and the efforts of ECCL. We live in ShadowWood Preserve and will certainly be affected (adversely, I fear) by the building of one and possibly two Wal-Marts and the widening of 41 between us and the Brooks.

Bill Pritts

>From: "donarowe" <donarowe@earthlink.net>
>To: "harry gaines" <hgaines5@comcast.net>,"Chet Nielsen" <chetnielsen@msn.com>,"ron pierce" <ron-piercel@comcast.net>,"Bob Wilson" <rwilson7673@aol.com>,"Ray Pierce" <piercejr@comcast.net>,"Tim Blaicher" <aab2@ocnonline.com>,"Joe Monestere" <joemon1096@aol.com>,"Mike Kozlow" <mike_kozlow@earthlink.net>,"Betty Grosfield" <dgrosf1145@aol.com>,"Dave Allemon" <marsdave@earthlink.net>,"frank celsnak" <celsnak@earthlink.net>,"tom o'dea" <tomodea@earthlink.net>,"nick batos" <mrmbjr@aol.com>,"paul swain" <peswain@aol.com>,"wilson berry" <lwberry@comcast.net>,"art nicoletti" <aan47@earthlink.net>,"Jan Lee" <jlee99@comcast.net>,"Russ Hamm" <hrhamm@aol.com>,"walt Lasota" <w.lasota@earthlink.net>,"mike paquette" <mcpaquette1@aol.com>,"jerry robertson" <leftyjerry@juno.com>,"lou varljen" <lvarljen@comcast.net>,"terry furhovden" <tfurhovden@earthlink.net>,"Tom Dixon" <tbdixon@aol.com>,"Gary Iverson" <garyiverson9@aol.com>,"Greg Lewis" <lewisgl@earthlink.net>,"Amy bosway" <amydonmarty@aol.com>,"Wayne Woodard" <werwoodard@comcast.net>,"Pat Jewell" <patjewell1@prodigy.net>,"eileen whennen" <sisrock@aol.com>,"Dave Courtney" <dacochem@comcast.net>,"Tom Caldwell" <taccwc@earthlink.net>
>CC: "Cindy Peterson" <cindyp@BonitaBayGroup.com>

>Subject: Fw: Estero Parkway Wal-Mart

>Date: Tue, 24 Aug 2004 08:14:20 -0400

>
>

>----- Original Message -----

>From: Donald Eslick

>To: Don Rowe ; G. Russell Weyer ; Yannick Forrest ; Bianca Olteanu ; Jim Branden ; Alan & Margaret Ballinger ; Andrea Bach ; Andrew & Rose Siedlecki ; Arthur Carty ; Bill & Carol Price ; Bill & Jenny Frantz ; Bob Perry ; Bob Wagner ; Constantinos Levanos ; Dick McPhail ; Donald & Karen Buttrey ; Ed/Lorene Steinmetz ; George & Phyllis Mucciatti ; Greg Blurton ; Hector Robitaille ; Howard & Nancy Cohen ; James & Barbara Halverson ; James & Ellen Hollars ; Jim Hugenberg ; Jim Saylor ; Joe & Marilyn Miller ; Joe & Sarah Walsh ; John & Kathleen Swift ; Judy Teilborg ; Larry & Donna Barton ; Laurence & Ann Gormley ; Leo & Carol Tosto ; Pat & Barbara Burke ; Pat Cox ; Paul James ; R. W. Collins ; Rene Menguy ; Russ Rees ; Russell & Ellen Swank ; Wayne & Susan Willenbrock ; Towns, Michael ; JJ Drummond, Sr. ; John Hofland ; Janis Carty ; Dave Lundeen ; John & Sharon Neville ; Neal Noethlich ; John Milcetic ; Karlene Reilly ; Al Winter ; Jerry Means ; Cel Aman ; Gar Evers ; Ken Cyrys ; Ilse Lefas ; Denise Bernardi ; Jim DeJidas ; John Seaberg ; Peter Spier ; John & Helga Reynolds ; Edith Young ; Joe Rudolph ; Jim & Carol Welling ; Judy & Mike Conley ; Ted Andelman ; Tony DeMello ; Dave Burkart ; Bill Morris ; Joel & Ellen Shapiro ; Raymond Eifler ; Donna Anderton ; Bill Clemens ; Judy West ; Paul Powers ; Arnie Rosenthal ; Jim Kelly ; Tom Sills ; Theodore Isea

>Sent: Monday, August 23, 2004 11:51 PM

>Subject: Estero Parkway Wal-Mart

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>Dear Estero Development Report Reader:

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>The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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>

Donald Eslick

From: "Bernard Cunningham" <bmckpc@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:08 AM
Subject: RE: Estero Parkway Wal-Mart

We are in total agreement with the ECCL's position regarding the Estero Parkway Wal-Mart approval.

We will try to be present on Friday AM.

Bernard & Kathleen Cunningham
 20480 Chapel Trace
 Estero, FL 33928
 239-992-8955
bmckpc@comcast.net

-----Original Message-----

From: Donald Eslick [mailto:doneslick@worldnet.att.net]

Sent: Tuesday, August 24, 2004 8:20 AM

To: Donald Laverto; Isabel Ward; Marie McElhiney; Terry & Pam Doss; Dick & Jean Hewitt; Ellie Thompson; Richard Zebrowski; Stewart Hartman Jr.; Jo & Len Fox; Rick Primo; Ken Axtell; Lee & Mary Christner; Pete Ommundson; Nancy & Jim Elnor-Rousey; Paul Solomons; Dick Proctor; Jack O'Brien; Barbara & John McGuire; Ramesh & Darshana Mahapatro; Carol & Sandy Korein; David & Janice Kellner; Larry & Anne Jacobs; Marty & Deanna Colon; Pat & Ron Poitinger; Marion & Jim Anderson; Candace Patton; Alan Fidler; Rose Ann Metzler; Daniel Vanno; Wayne Wickens; Daniel Richards; Don Blatnik; Charles Murphy; Chet Hobert; Sharon Kraft; Richard & Nancy Haverly; William Hillemeier; Gary Neidhard; Tom Roberts; R E Rutledge; Pamela Cleaves; Alice Fjelstul; Harry Jones; John Noblitt; Pat Jewell; Anthony Messana; Dick Powers; John Ciccarella; Susan McKanna; Kenneth Otto; Peter Wendell; Jerry Montopoli; Jerry Tenser; Steve & Eunyce Prouty; Alan Diamond; Lillian & Ed Young; Robert & Barbara DiMaria; Richard & Barbara Cassa; Douglas Porenz; Richard Heberle; Dann & Jane Battina; Richard Cavuto; John Moffa; Henry Johnson; Scott Singleton; David Williams; Pat & Dave Linegang; George Hausman; Mardy Minx; Kevin & Dawn Pallett; Annette Bitner; Steve Dryden; Patrick & Leonie Rogam; Joe & JoAnn Blazek; Richard Steele; Sam Mayes; Paul Berney; Bob Brice; Topper Brick; Steve & Janet Broughton; Bob Brown; Dave & Karel Brown; Faith Corak; Terry & Frank Crane; Bernie Cunningham; Jan & Orv Druckenmiller; Sharon Goldberg; Sue Johnson; Clara & George Minch; Dave Nevins; Erv Schmidt; Jim Wynsma; Carol Hadley; Matt Smith; Lynne Criss; Gary Haupt; Kieth Louiselle; London Scialdone; Dolly Matoian

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has

8/24/2004

Donald Eslick

From: "Barth" <newportavenue@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:26 AM
Subject: RE: Estero Parkway Wal-Mart

we are in support of the Wal-Mart. We are Merano residents part time and believe a lot of planning and good thought has gone into this.

Thanks for the update.

Barth and Cathy

From: Donald Eslick [mailto:doneslick@worldnet.att.net]

Sent: Tuesday, August 24, 2004 8:22 AM

To: Isabel Ward; Donald Laverto; Barbara & Mark Michel; Rich & Paulette Robinson; Richard Piester; Dave Hurst; Jim & Nancy Walts; John & Janet Turner; Helen & Sherman Hayes; Owen Bahner; William Fair; Shirley Lichtenberg; Earl Schulz; William Worley; Herb Walker; Fred & Joan Moore; Dan Schultz; Gracie Goebel; Jack Perron; Charlotte Lipker; Robert Gepfert; Suzanne Tobin; Glenn Heckman; Paul Johnson; Ralph & Patricia Peck; John Dolan; Paul & Carol Anetsberger; Harold & Glenda Hamblin; Joseph Hagan; Phyllis Stanley; Richard & Barb Jansky; Edward Laderer; Florence Malizola; Allan Morgan; Philip & Meredith Clark; Merlin Dewar; Ken Truax; Cheryl Huban; Roger & Mimi Holly; Don & Marti Pries; Tonny Vanderleeden; Joe Wallace; Kevin & Lynette Powers; Don Graves; Gerald & Joanne Dworakowski; Noname Sheddric; Tim Prentis; Mike Brewer; Micheal Trevola; Pat Tretola; Donald Hansen; Joe & Diane Millowzi; Joe Namath; Joe Mackle; Thomas Johnson; Andrew Calder; Eric Weir; Jerry & Mona Mason; Ann & John Drake; Wimp Moyer; Mark Stiggleman; Barbara Seiberling; Roberta Golfes; Jeanette Igoe; Earl & Dorothy Billing; Candace Farmer; Len Hendrickson; Barb Kalmes; Barb Nolan; Terry Fletcher; Harold Straka; John Griesbaum; Sharon Doerr; Lynn Adams; William & Barbara Alberts; John & Helga Arthur; Bud & Marsha Avery; Tim & Jeanne Beffa; Richard Bergstrom; Andre Blay; Elias & Mary Bricolas; Bill & Vivian Briggs; Roger & Susan Brown; Dick & Trish Davidson; Vivian Dicenso; Donn & Janet Dickerson; Barth Doroshuk; Jim Eastman; James & Deborah Forstner; Anita And Robert Foster; Gwen & James Fountain; Joe & Mary Jo Gatti; Bob & Irene Gillespie; Paul & Peggy Hoefler; Marv & Elise Howard; Dale & Harriett Jones; Martin & Heide Kamber; Peter & Carol Karas; Jay & Melody Key

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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8/24/2004

Donald Eslick

From: "bachus02" <bachus02@netzero.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:51 PM
Subject: Re: Estero Parkway Wal-Mart

Hi Don,

I strongly support the ECCL's position on the Estero Parkway Wal-Mart and appreciate all the hard work and effort you and the Committee have put into it.

I also feel that irregardless of Wal-Mart, that section of Highway 41 needs to be widened as soon as possible. I will never understand why that short section was not included in previous widening projects.

Once the current widening project from Corkscrew South is complete, we will have an Hourglass effect which will make the present four lane section more dangerous than it already is.

I also believe that while a Wal-Mart (as the current highway exists), would greatly increase the congestion at the 41/Estero Parkway intersection, it would also decrease traffic from that point North.

With the installation of a traffic light at that intersection, I would feel much safer there than at the intersection of 41 and Six Mile Cypress.

I have a Doctor appointment Friday morning but if I can work around it, I hope to be at the hearing to support you.

For the Good of Estero, I hope you are successful Friday.

Sincerely,

Larry Horton

Riverwoods Plantation

Estero

----- Original Message -----

From: Donald Eslick

To: Dave Trelease ; Dan Wagner ; Tom Rainey ; Kristin Cochran ; Jerry & Dick Hayes ; Larry Horton ; Dale Thompson ; David & Nancy Bradbury ; Pamela Jones-Morton ; Dave Lisbon ; Veronica Cridlin ; Bob Sweeney ; Mike Kyle ; Steve & Betty Shandor ; Don Hackney ; Barbara & Tom Zegil ; Bill & Joan McKnight ; Martin & Penny Lustik ; Steve & Bonnie Rimar ; Carl & Charlene Henni ; Dale Nelson ; Pat & Joseph Beausoleil ; Marjorie Pruss ; Matthew Kemmer ; Stephanie Wilt ; Nancy Foley ; Bob Noble ; Tom Gilliland ; Bob and Valerie Warren ; Dennis Anderson ; Don ??? ; Ray Glowaz ; Cas Obie ; Mary McVay ; Noel Andress ; Ed Piwowar ; Bill Cessna ; Ken Kuznicki ; John & Connie Sackl ; Dee & Susan Williams ; Ralph Colter ; Blanche Moore ; Ted Figurelle ; Lone Saters ; Crystal Malik ; Marge & Ron Erickson ; Alex Struckus ; Bing Domingo ; Charlotte Katz ; Kim & Scott Johnson ; Joe Bawolek ; Santo Listro ; Kent Lewis ; Bob Jenkins ; Sue Veto ; Estelle Bazos ; Pat & Grace Fortuna ; Michael Young ; Judith & Jerry Murphy ; Hugo & Cornelia Vifian ; Barbara Goff ; Blanche Caron ; Brian & Kay Burns ; Bill Brannick ; Jim Palma ; Lighthouse 34 ; Lighthouse 11 ; Lighthouse 12 ; Lighthouse 13 ; Lighthouse 14 ; Lighthouse 15 ; Bob Taylor ; Lighthouse 17 ; Lighthouse 18 ; Lighthouse 19 ; Lighthouse 2 ; Lighthouse 20 ; Lighthouse 21 ; Lighthouse 22 ; Lighthouse 22 ; Lighthouse 23 ; Lighthouse 24 ; Lighthouse 28 ; Lighthouse 29 ; Lighthouse 3 ; Lighthouse 30 ; Lighthouse 31 ; Lighthouse 32 ; Lighthouse 33 ; Lighthouse 4 ; Lighthouse 5 ; Lighthouse 7 ; Lighthouse 8 ; Lighthouse 9

Sent: Monday, August 23, 2004 11:55 PM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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8/24/2004

Donald Eslick

From: <AugustRL@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:27 AM
Subject: Ron & Lois August supports the ECCL effort...

...but will not be in the area to attend the Friday hearing.

8/24/2004

From: "Amy Sammons" <amysamm@us.ibm.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 8:40 AM
Subject: Fw: Estero Parkway Wal-Mart

Hello Don,

As incoming residents of Rookery Pointe, please accept this note as our support of the ECCL's position on the Estero Parkway Wal-Mart rezoning.

Kind regards,

Geoff & Amy Vogt
52-18331 Rookery Circle
(Lot/Block #/Street name)
Estero, Fla.

----- Forwarded by Amy Sammons/Tucson/IBM on 08/24/2004 08:34 AM -----

08/24/2004 07:34 AM

----- Message from "Donald Eslick" <doneslick@worldnet.att.net> on Mon, 23 Aug 2004 23:44:16 -0400 -----

David Morton" <dcmajk@aol.com>, "Deborah Burnett" <debbie_burnett@colonialbank.com>, "Debra" McCormick" <DrDebMc@aol.com>, "Del Virgilio" <dvp@vgernet.net>, "Dennis Williams" williams2001@mediaone.net>, "Dick Donlan" <teamdons@aol.com>, "Dick Foley" >dickfoley@swfla.rr.com>, "Don Irons" <dbiesq@aol.com>, "Joe Reynolds" <dojore@msn.com>,> Donna Branden" <CCapasso@yahoo.com>, "Ed & Ellen Thomas" <slowellen@aol.com>, "Ed" Bonini" <ejb328@aol.com>, "Raymond & Phyllis Love" <rlove2409@aol.com>, "John & Martha Howard" <marthoward@comcast.net>, "Lesley Hill" <LHill@PinnacleAdvisory.com>, "Steve & Linda Baschnagel" <lakedudebasch@aol.com>, "D.V & Avril Prendeville" <avriljp@aol.com>, "John & Donna Dunn" <dunnlib@aol.com>, "William & Nancy Bradley" <bradleybil@aol.com>, "Gerald & Stephanie Broshear" <stephbro@aol.com>, "Jerry & Sharon Mirshak" <jmirsh@webtv.net>, "James & Rita Davis" <Ritata25@aol.com>, "Gary & Veronica Vogt" <veeg279@aol.com>, "Anderson & Nancy Thompson" <ati48@yahoo.com>, "Paul & Kathleen Perry" <paunedwardperry@aol.com>, "Russ & Peggy Sparks" <psparks@cinci.rr.com>, "Alan & Lorraine Tulman" <tulman@nursing.upenn.edu>, Tom & Cindy Davis" <cindydavis8@comcast.net>, "Michael & Derora Bush" <bushbeagle@hotmail.com>, "Gerard & Barbara McLaughlin" <mbiggone@cs.com>, "Lois & Jonathan Adams" <adamsconsulting@mail.com>, "Lou & Roseann Achille" <RoAchille@aol.com>, Paul James" <paulxjames@aol.com>, "Ravi & Bharati Kharkar" <kharkar@kiva.net>, "Ron & Margaret Stengel" <pegstengel@aol.com>, "Frank & Nancy Prunte" <Draytonwds@aol.com>, Georgia & Bob Nelson" <Bngnelson@aol.com>, "Gloria Syring" <ggsyring@aol.com>, "Jack Shea" <jshea@colonialhomesinc.com>, "Jane Gates" <gwinkegates@aol.com>, "Jane Sespaniak" <sespaniak@aol.com>, "Joe Boro" <Jchatem@aol.com>, "John Campbell" <Jcampbell@mediaone.net>, "John Ruehl" <jonshr500@comcast.net>, "Kay & Bob Kirksick" <kayandbob@earthlink.com>, "Ken Heatherington" <kheatherington@swfrpc.org>, "Ken Plonski" <kenplonski@wcicommunities.com>, "Ken Wilkinson" <WilkinsonK@leopa.org>, "Kevin Leo" <keveleo@earthlink.net>, "Larry Scrabis" <LScrabis@hotmail.com>, "Laura Miller" <elhmiller@juno.com>, "Michael Hueniken" <huenikenm@ushome.com>, "Midge Pressentin" <MIDGEPRESS@aol.com>, "Al Meyer" <MEYER815@aol.com>, "Paul Cusmano" <paul_cusmano@arvida.com>, "Randy Mercer" <rlmercer@cbre.com>, "Ray Pothier" <rpothier@juno.com>, "Rick Mercer" <rickmercer@wcicommunities.com>, "Robert Flato" <rflato@hotmail.com>, "Ross McDonald" <koresh1896@yahoo.com>, "Sissel Robertson" <

8/24/2004

Donald Eslick

From: "Alan Tong" <atong@woh.rr.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 4:01 PM
Subject: Re: Estero Parkway Wal-Mart

Hi Mr. Eslick,

We appreciate all the work on behalf of the Estero Parkway Wal-Mart, and fully support this wonderful store coming into our community and their participation in the widening of US 41 between Corkscrew and San Carlos Park. We live in Shadow Wood of the Brooks, 10040 Ginger Pointe Court, Bonita Springs, FL 34135. Ohio phone number is 419-957-3448.

We look forward to this store being built, as I shop in our local super Wal-Mart in Findlay, OH, once or twice each week (probably too often 😊👉)

Thank you,

Alan T. Tong, M.D.
 Jane E. Tong (Mrs. Alan)

----- Original Message -----

From: Donald Eslick

To: Donald Laverto ; Isabel Ward ; Marie McElhiney ; Terry & Pam Doss ; Dick & Jean Hewitt ; Ellie Thompson ; Richard Zebrowski ; Stewart Hartman Jr. ; Jo & Len Fox ; Rick Primo ; Ken Axtell ; Lee & Mary Christner ; Pete Ommundson ; Nancy & Jim Elnor-Rousey ; Paul Solomons ; Dick Proctor ; Jack O'Brien ; Barbara & John McGuire ; Ramesh & Darshana Mahapatro ; Carol & Sandy Korein ; David & Janice Kellner ; Larry & Anne Jacobs ; Marty & Deanna Colon ; Pat & Ron Poitinger ; Marion & Jim Anderson ; Candace Patton ; Alan Fidler ; Rose Ann Metzler ; Daniel Vanno ; Wayne Wickens ; Daniel Richards ; Don Blatnik ; Charles Murphy ; Chet Hobert ; Sharon Kraft ; Richard & Nancy Haverly ; William Hillemyer ; Gary Neidhard ; Tom Roberts ; R E Rutledge ; Pamela Cleaves ; Alice Fjelstul ; Harry Jones ; John Noblitt ; Pat Jewell ; Anthony Messina ; Dick Powers ; John Ciccarella ; Susan McKanna ; Kenneth Otto ; Peter Wendell ; Jerry Montopoli ; Jerry Tenser ; Steve & Eunyce Prouty ; Alan Diamond ; Lillian & Ed Young ; Robert & Barbara DiMaria ; Richard & Barbara Cassa ; Douglas Porenz ; Richard Heberle ; Dann & Jane Battina ; Richard Cavuto ; John Moffa ; Henry Johnson ; Scott Singleton ; David Williams ; Pat & Dave Linegang ; George Hausman ; Mardy Minx ; Kevin & Dawn Pallett ; Annette Bitner ; Steve Dryden ; Patrick & Leonie Rogam ; Joe & JoAnn Blazek ; Richard Steele ; Sam Mayes ; Paul Berney ; Bob Brice ; Topper Brick ; Steve & Janet Broughton ; Bob Brown ; Dave & Karel Brown ; Faith Corak ; Terry & Frank Crane ; Bernie Cunningham ; Jan & Orv Druckenmiller ; Sharon Goldberg ; Sue Johnson ; Clara & George Minch ; Dave Nevins ; Erv Schmidt ; Jim Wynsma ; Carol Hadley ; Matt Smith ; Lynne Criss ; Gary Haupt ; Kieth Louiselle ; London Scialdone ; Dolly Matoian

Sent: Tuesday, August 24, 2004 8:20 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

8/24/2004

Donald Eslick

From: "Raymond J Pothier" <rpothier@juno.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 10:10 AM
Subject: [Norton AntiSpam] Re: Estero Parkway Wal-Mart

I am in full support of the ECCL position that promotes smart growth with known compatible parameters plus added focus on earlier completion of Route 41's through Estero.

I think the opposing position is one that is designed to delay growth and thereby retaining a less developed area for a longer period of time.

Many people would like to retain a more rural environment longer.

However, along with their position comes the delaying of Route 41's widening and prolonged traffic congestion for years longer than if Wal-Mart aids in getting Route 41 completed sooner.

ECCL has exhibited their concern for the quality of life in Estero without any apparent ulterior motive. I become suspicious of the Chamber of Commerce. Obviously they have concerns, possibly something to do with competition from a Wal-Mart; but are they in step with improving the quality of life in Estero or of improving the quality of Chamber members?

Again, I support the ECCL position and I will attempt to attend the Friday meeting in Fort Myers.
Ray Pothier, Country Creek Resident.

Donald Eslick

From: "Mary L Carter" <artistcarter@juno.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:57 AM
Subject: Re: Estero Parkway Wal-Mart

Dear Don

I'm Mary Carter, I have been to many meetings. Right now I'm in Indiana. I'm sad to hear that there are still people fighting Wal-Mart. I would much sooner take my chance of having an accident going to Wal-Mart at Estero even with it only being 2 lanes then going to Naples or Ft. Myers.

We live in Estero.

Mary L. Carter

8/24/2004

Donald Eslick

From: <MoJeMason@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:30 PM
Subject: Re: Estero Parkway Wal-Mart

As residents of the Breckenridge Community we fully endorse the position of the ECCL on the Estero Parkway Wal-Mart rezoning. We believe through the hard work of negotiations both sides have come up with the best possible plan. Thanks to all who have been so dedicated to the cause.

Jerry and Mona Mason
20151 Ian Ct #206
Estero, Fl 33928

8/24/2004

Donald Eslick

From: "Norine Armstrong" <norineta@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 7:43 PM
Subject: Re: Estero Parkway Wal-Mart

I fully support the ECCL position on the Estero Parkway Wal-Mart and congratulate all of you on your hard work and attention to detail that brought us to the present situation.

I regret that I will be unable to attend the Friday hearing, because I am currently in northern Wisconsin and cannot drive back there in the time-frame. Good luck.

Sincerely, Norine Armstrong
4500 East Pilgrims Way
Estero FL 33928

8/24/2004

Donald Eslick

From: "Pamela Jones-Morton" <pjonesmorton@swfla.rr.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 2:50 PM
Subject: RE: Estero Parkway Wal-Mart

Don,

First I wish to thank you and the others on the ECCL for all the work you have done for our community. Your time, effort and dedication to our community is very much appreciated.

Secondly I wish to respond to the informative email you sent regarding the building of Wal-Mart on the north-east corner of Estero/41. To be totally up front I wish to state that I am not a Wal-Mart supporter. But I have followed the negotiations of the ECCL. The information you shared over the past year has been very detailed and helpful to all of us so that we could understand and if desired participate within the on going process. It has been very clear that for the community to control aspects of the built those negotiations were critical. Issues regarding the build should have been brought to the ECCL months ago. For the community to control the design of buildings and to assure Estero's future image we need to enter into solid negotiations with companies.

To allow companies to build without community input or voice will dome Estero to a future of Big Boxes and black top.

I personally feel that the ECCL have represented us well and have always had the community image and welfare at heart.

I do hope that we can move forward with the process and that in addition we can begin the plans to widen route 41.

Please note that having a Wal-Mart at the corner of Coconut Rd and 41 is really one Wal-Mart to many.

Again thank you for your time and dedication.

Sincerely,
 Pamela Jones-Morton, PhD

-----Original Message-----

From: Donald Eslick [mailto:doneslick@worldnet.att.net]

Sent: Monday, August 23, 2004 11:55 PM

To: Dave Trelease; Dan Wagner; Tom Rainey; Kristin Cochrane; Jerry & Dick Hayes; Larry Horton; Dale Thompson; David & Nancy Bradbury; Pamela Jones-Morton; Dave Lisbon; Veronica Cridlin; Bob Sweeney; Mike Kyle; Steve & Betty Shandor; Don Hackney; Barbara & Tom Zegil; Bill & Joan McKnight; Martin & Penny Lustik; Steve & Bonnie Rimar; Carl & Charlene Henni; Dale Nelson; Pat & Joseph Beausoleil; Marjorie Pruss; Matthew Kemmer; Stephanie Wilt; Nancy Foley; Bob Noble; Tom Gilliland; Bob and Valerie Warren; Dennis Anderson; Don ???; Ray Glowaz; Cas Obie; Mary McVay; Noel Andress; Ed Piwowar; Bill Cessna; Ken Kuznicki; John & Connie Sackl; Dee & Susan Williams; Ralph Colter; Blanche Moore; Ted Figurelle; Ione Saters; Crystal Malik; Marge & Ron Erickson; Alex Struckus; Bing Domingo; Charlotte Katz; Kim & Scott Johnson; Joe Bawolek; Santo Listro; Kent Lewis; Bob Jenkins; Sue Veto; Estelle Bazos; Pat & Grace Fortuna; Michael Young; Judith & Jerry Murphy; Hugo & Cornelia Vifian; Barbara Goff; Blanche Caron; Brian & Kay Burns; Bill Brannick; Jim Palma; Lighthouse 34; Lighthouse 11; Lighthouse 12; Lighthouse 13; Lighthouse 14; Lighthouse 15; Bob Taylor; Lighthouse 17; Lighthouse 18; Lighthouse 19; Lighthouse 2; Lighthouse 20; Lighthouse 21; Lighthouse 22; Lighthouse 22; Lighthouse 23; Lighthouse 24; Lighthouse 28; Lighthouse 29; Lighthouse 3; Lighthouse 30; Lighthouse 31; Lighthouse 32; Lighthouse 33; Lighthouse 4; Lighthouse 5; Lighthouse 7; Lighthouse 8; Lighthouse 9

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero

8/24/2004

Donald Eslick

From: <Jmoooch1@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:31 AM
Subject: Re: Estero Parkway Wal-Mart

Dear Sir, as part time resident's of Country Creek you have our support for the ECCL's position on the Estero Parkway Walmart rezoning. Sorry we are unable to attend, due to the fact we are up north in Illinois.
Thank You,

Jim & Char McDonough

8/24/2004

Donald Eslick

From: "Joe Rudolph" <rudolph43@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 2:20 PM
Subject: Re: Estero Parkway Wal-Mart

The ECCL has represented the Estero residents well and I fully support the ECCL's position on the Estero Parkway Wal-Mart rezoning. Keep up the good work.

Joseph K. Rudolph
 23311 Foxtail Creek Ct.
 Bonita Springs, FL 34135-8416
 Copperleaf

----- Original Message -----

From: Donald Eslick

To: Don Rowe ; G. Russell Weyer ; Yannick Forrest ; Bianca Olteanu ; Jim Branden ; Alan & Margaret Ballinger ; Andrea Bach ; Andrew & Rose Siedlecki ; Arthur Carty ; Bill & Carol Price ; Bill & Jenny Frantz ; Bob Perry ; Bob Wagner ; Constantinos Levanos ; Dick McPhail ; Donald & Karen Buttrey ; Ed/Lorene Steinmetz ; George & Phyllis Mucciante ; Greg Blurton ; Hector Robitaille ; Howard & Nancy Cohen ; James & Barbara Halverson ; James & Ellen Hollars ; Jim Hugenberg ; Jim Saylor ; Joe & Marilyn Miller ; Joe & Sarah Walsh ; John & Kathleen Swift ; Judy Teilborg ; Larry & Donna Barton ; Laurence & Ann Gormley ; Leo & Carol Tosto ; Pat & Barbara Burke ; Pat Cox ; Paul James ; R. W. Collins ; Rene Menguy ; Russ Rees ; Russell & Ellen Swank ; Wayne & Susan Willenbrock ; Towns, Michael ; JJ Drummond, Sr. ; John Hoffland ; Janis Carty ; Dave Lundeen ; John & Sharon Neville ; Neal Noethlich ; John Milcetic ; Karlene Reilly ; Al Winter ; Jerry Means ; Cel Aman ; Gar Evers ; Ken Cyrus ; Ilse Lefas ; Denise Bernardi ; Jim DeJidas ; John Seaberg ; Peter Spier ; John & Helga Reynolds ; Edith Young ; Joe Rudolph ; Jim & Carol Welling ; Judy & Mike Conley ; Ted Andelman ; Tony DeMello ; Dave Burkart ; Bill Morris ; Joel & Ellen Shapiro ; Raymond Eifler ; Donna Anderton ; Bill Clemens ; Judy West ; Paul Powers ; Arnie Rosenthal ; Jim Kelly ; Tom Sills ; Theodore Isea

Sent: Monday, August 23, 2004 11:51 PM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

In the course of this 17 month effort literally hundreds of Estero residents have attended scores of meetings where the issues were discussed. In addition several thousand EDR readers have been fully informed every step of the way with almost no adverse comment.

As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

If Wal-Mart's zoning is not approved, any other big box store-- Costco, Target, Home Depot, Lowe's etc. -- that does not operate on a 24/7 basis could build a superstore on the property without rezoning. As a result the Community would have no opportunity to obtain all the changes that Wal-Mart has accepted.

Throughout this period the Wal-Mart Committee and Wal-Mart have discussed how Wal-Mart could help finance the acceleration of the widening of US 41 between Corkscrew Road and San Carlos Park by paying the interest on a loan. The County Attorney's office has caused this issue to remain unresolved by prohibiting discussion of it with the County prior to zoning approval by the BOCC. As a result Wal-Mart has committed to us that same \$1 million to be used by an appropriate not for profit entity to accelerate the widening of US 41.

Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not issue a Certificate of Occupancy, permitting the store to open for business, until the widening of US 41 has begun. This provision would permit Wal-Mart to open in two years, in mid-2006, if they work with the County and FDOT to accelerate

8/24/2004

Donald Eslick

From: <Jigoe5@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:58 AM
Subject: Re: Estero Parkway Wal-Mart

Don, great job and I hope we get the WalMart, I am afraid of who else could purchase that spot and what their purpose would be. I think the community should wake up and smell the roses, progress is here and that will bring business. They have made every attempt to accommodate us, the state, the county and the Estero area, I hope we can put the matter to bed and get this done.

If I was in town I would be there Friday, however I will be in Jacksonville for a Kiwanis Convention.

Thanks for you efforts and you may take this with you to the meeting. I will forward you note to my mailing list here in Rookery.

Jeanette Igoe
Resident Estero, Rookery Pointe
239-949-5791

Donald Eslick

From: <Jerszy10@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 2:19 PM
Subject: Re: Estero Parkway Wal-Mart

Thank you for your dedication and hard work. We support the ECCL's position on the Wal-Mart rezoning on Estero Blvd. and 41.

Suzy & Jerry Tenser
9109 Hollow Pine Dr
Bonita Springs, FL 34135

Donald Eslick

From: "Jack Grube" <jgrube122@comcast.net>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:44 AM
Subject: Wal-Mart

Don;

I'm sorry I cannot attend Friday's meeting with the Hearing Examiner. My wife and I are in Pennsylvania right now. However, I do want you, the ECCL and the Hearing Examiner to know that my wife and I strongly support the zoning approval for Wal-Mart . We are proud resident's of Estero and appreciate all the long hours the ECCL has devoted to the improvement of the community.

Thank You;
Jack and Dorothy Grube

 *IncrediMail* - Email has finally evolved - [Click Here](#)

8/24/2004

Donald Eslick

From: "Jack and Ella Dolan" <Jackel51@comcast.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:40 PM
Subject: Re: Estero Parkway Wal-Mart

WE support ECCL's position on the
Estero Parkway Wal-Mart rezoning
Jack & Ella Dolan

8/24/2004

Donald Eslick

From: "J. Namath" <jnamath@swfla.rr.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:52 AM
Subject: Re: Estero Parkway Wal-Mart

In response to your request re: the ECCL's position on Walmart - I support what you are doing 100%.

Joe Namath, CPA
Estero

8/24/2004

Donald Eslick

From: "IVARS and Gloria KAULS" <Gloive@msn.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:21 AM
Subject: Re: Estero Parkway Wal-Mart

We wholeheartedly support your position to approve Wal-Mart. Thanks for all your hard work on everyone's behalf.

Ivars and Gloria Kauls
 Pelican Sound

----- Original Message -----

From: Donald Eslick

To: Dave Miller ; Nancy Cohen ; Mike Kozlow ; Bob Wilson ; Gary Iverson ; A L Rivero ; James M Hoffmann ; Bob Schultz ; Vernon L Richens ; Max Walten ; Gerald Seaman ; Stanley Stickney ; Riverwoods 1 ; John Clegg ; Linda Leblanc ; Paul Keyes ; Donna Lloyd ; John Toher ; Robert & Margery Oberheide ; Bo & Laurie King ; Jim & Audre Yates ; Tom Manuel ; Doranne O'Hare-Casto ; Betty Grosfield ; T C ; Kathleen Fitzgerald ; Tom Moehring ; REDPIE@aol.com ; Lee Powar ; Jane & Raquel Gray ; Art & Mary Graeber ; Tony D'Eramo ; Margarita Bailey ; Larry Flynn ; Neal Caple ; Gordon Banks ; Randall Espeseth ; Tom Schoenheider ; Richard Steele ; John & Brigitt Devlin ; Cynthia Janssens ; Arlene Ilyichenko ; Janet & Willam Kienle ; William & Eileen Lutz ; Marti Davis ; Joseph Curley ; Donald Fox ; Howard Meeker ; Lowell Garner ; Chuck Bruce ; Kelly Durham ; Ron & Rhea Grenier ; Barbara Weinand ; Pelican Sound 1 ; Herbert Spencer ; Art Zens ; Dot Lingren ; Gary Lindsay ; Donald Streicher ; Byron Thorsen ; Nelson Burr ; Ken & Maryann Kilponen ; John Lordi ; H Lawrence Roy ; Ivars & Gloria Kauls ; Harvey Kadlec ; Roger & Barbara Levin ; Leo & Kathy Manz ; Pat Giglio ; Don Seiler ; K Pryor ; Paricia Prominski ; Norbert Rodil ; Tom Ginzi ; Bob Welliver ; Jamie Jameson ; Elaine Boreski ; Tom & Gail Battaglini ; Larry Beemer ; Daniel Whiteman, Jr. ; John Nuccio ; Allen & Susan Meyer ; Wil & Anne Brown ; Paul Donald ; Gloria & Bill Elsea ; Robert Kopp ; Nick Licari ; Kathryn Sloan ; Larry Pointelin ; Shirley Barker ; Jim & Martha Rosasco ; Howard McKenna ; W. C. Brearley ; Tony Dalesandro ; Thomas McCarthy ; Ronald Smith ; Bill & Margaret Pratilas ; Dieter & Regina Schluter ; Russell Braese ; James & Randi Ferguson ; Gail & Richard Morneau ; Doug Dalrymple

Sent: Tuesday, August 24, 2004 7:04 AM

Subject: Estero Parkway Wal-Mart

Dear Estero Development Report Reader:

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As the Reports indicate Wal-Mart has made hundreds of changes in its development plans, all of which are enforceable because of their inclusion in the zoning resolution, and is committed to signing a contract with the Vines Community governing operation of the store. The zoning addresses every concern ever raised by the citizens of Estero.

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Thus, the ECCL supports approval of zoning for Wal-Mart subject to the additional condition that Lee County shall not

8/24/2004

Donald Eslick

From: "Howard Cohen" <hkcohen@mac.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 9:35 AM
Subject: Re: Estero Parkway Wal-Mart

Don,

Prior to eight months ago, I was unaware that ECCL existed. After connecting via your monthly update, I started to attend and observe the various meetings of the ECCL, Estero Community Planning Panel and Estero Design Review Board.

I soon realized that these concerned citizen groups were composed of professional people, many newcomers to the area, that had various backgrounds all of whom were focused on creating a vision for a rapidly growing area with intense zoning, few controls and very little existing citizen input. By profession I hold an MAI designation from the Appraisal Institute. I am and have been involved for over thirty years in the development and ownership of large scale and small commercial real estate.

The consensus driven process by which Bob Perry and others negotiated with Wal-Mart has been a true win-win for the Vines and Wal-Mart - (for the Vines a down-zoning of the site, operational controls and an by-pass roadway and for Wal-Mart 24-7 operation and accelerated construction). The County Commissioners now have the opportunity to endorse this process by authorizing the zoning. A positive vote would enable future projects to clearly understand a process which will enable them to appropriately develop within the community.

Unfortunately, I have business in Baltimore at the time of the meeting and, therefore, will be unable to speak. If you wish, please read my statement into the record.

Thank you,

Howard K. Cohen,
Florida resident
4730 Via Napoli
The Colony @ Pelican Landing
Estero 34134

On Aug 23, 2004, at 11:51 PM, Donald Eslick wrote:

Dear Estero Development Report Reader:

The attached twelve Estero Development Report (EDR) articles detail the efforts of the Estero Council of Community Leaders (ECCL) and its Wal-Mart Committee to develop and implement a consensus strategy for dealing with the proposed Wal-Mart superstore on the northeast corner of US 41 and Estero Parkway.

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8/24/2004

Donald Eslick

From: "Haupt, Gary" <gary_haupt@fanniema.com>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:34 AM
Subject: RE: Estero Parkway Wal-Mart

Don:

I signed the circulating petition because I do not want anything constructed there, but it is obvious that there is no way to prevent a major enterprise from establishing a large facility on that corner. You have made some excellent points in your note. I agree that a Home Depot or Lowes or Target would not be as desirable as a well constructed and zoning controlled Wal-Mart. Wal-Mart appears to want a store in this area and is willing to give a lot to get it.

I will withdraw my name from the circulating petition as soon as I figure out how to do that. In the meantime, consider this email my support for the ECCL's position on the Wal-Mart and the withdrawal of my name from the petition opposing those efforts.

My bet is that a great majority of us want to live in a quiet, rural community that is surrounded by pasture land but is within 4 - 5 miles of major shopping areas. Unfortunately, that does not appear to be in Estero's future. If that is the case, let's make the best of it.

Gary Haupt
9603 Lismore Lane
Cascades at Estero

8/24/2004

Donald Eslick

From: <Gormleyswa@aol.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:25 AM
Subject: Re: Estero Parkway Wal-Mart

Based upon the information in the enclosed e-mail, I would support the new Wal-Mart on US 41 @ Estreo Parkway.
Ed Gormley

8/24/2004

Donald Eslick

From: <Goatville9@aol.com>
To: <acannaciolo@snet.net>
Cc: <c.richter@pmctec.com>; <cirillov@gateway.net>; <crabba3@metrocast.net>; <crabba3@swfla.rr.com>;
 <Dave_Hamill@fmo.com>; <doneslick@worldnet.att.net>; <EditorVCC@aol.com>;
 <Frncscarfora@aol.com>; <garygoller@earthlink.net>; <gkwentus@earthlink.net>;
 <Graneddy@aol.com>; <hddurfee@hargray.com>; <HSCMITT1000@aol.com>;
 <janewarren@msn.com>; <jchenoweth@swfla.rr.com>; <jkargen@adelphia.net>;
 <jon.d.evans@BOEING.COM>; <jon.evans@psab.af.mil>; <kathryn@bohemianstyle.com>;
 <kathrynevans@sbcglobal.net>; <keith@isni.net>; <kevans@jli.net>; <l.westin@att.net>;
 <limey40@adelphia.net>; <linda.graham2@att.net>; <loveisit3@yahoo.com>; <glenmc@alltel.net>;
 <mcgivney@alltel.net>; <mkoslosky@asbury.com>; <moscato@buffnet.net>;
 <ngederberg@swfla.rr.com>; <NorSwitC@aol.com>; <ommundson@cyberwc.net>;
 <ommundson@swfla.rr.com>; <psanders@voicenet.com>; <raypiperni@canada.com>;
 <RJLKDL@aol.com>; <rpothier@juno.com>; <rsizemore2@comcast.net>; <SheilaGeaney@aol.com>;
 <Add2profit@aol.com>; <struble@strublefinancial.com>; <sunfun99@earthlink.net>;
 <TIMBERG10@aol.com>; <tpatsie@webtv.net>; <vflorio@snet.net>; <vjcirillo@worldnet.att.net>;
 <WGEHeery@webtv.net>; <williammartin@gbronline.com>; <yellowbd@optonline.net>
Sent: Tuesday, August 24, 2004 11:38 AM
Subject: E mail address change

Hi Folks - We changed to People.com and our new email address is:
 "carlmarie37@peoplepc.com"

Donald Eslick

From: "Gary Cain" <gary-cain@webtv.net>
To: "Donald Eslick" <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 12:58 PM
Subject: Re: Estero Parkway Wal-Mart

Don, I definitely support your position.

8/24/2004

Donald Eslick

From: "Glenn Schuch" <gfschu@att.net>
To: <:>
Sent: Tuesday, August 24, 2004 3:22 PM
Subject: WALMART REZONING

We comment you and the ECCL on the super job you have been doing with the Walmart and pray that it goes through.

Donna & Glenn Schuch

8/24/2004

Donald Eslick

From: <Frabetdiekman@cs.com>
To: <doneslick@worldnet.att.net>
Sent: Tuesday, August 24, 2004 11:52 AM
Subject: Walmart rezoning

We support the ECCL,s Position on the Estero Parkways Wal Mart rezoning. We will not be able to attend the meeting as we are in Ohio. Good luck you guys have done a good job. Frank & Betty

8/24/2004

**PROPERTY DEVELOPMENT REGULATIONS
(Wal-Mart Option)**

LAND USES	Minimum Lot			Minimum Setback (ft)										Max Lot Coverage (%)		
	Area (sq ft)	Min Width (ft)	Min Depth (ft)	Side ¹ Incl. Corner Lots (ft)	Rear (ft)				Front (ft)		Water Body (ft)	Max Height (ft) ²	Min Bldg Separation (ft) ²		East of railroad with Golf Option	East of Railroad without Golf Option
					Lots	Wetland	Golf	Acc.	Front Entry Garage	Bldg or Side Entry Garage						
Single Family Detached	5,000	50	100	5	20	0	5	20	12	25	35 or 2 stories	10	65	40		
Zero Lot Line	5,000	50	100	0 or 7½	20	0	5	20	12	25	35 or 2 stories	10	65	40		
Two Family Attached	3,750	37½	100	0 or 10	20	0	5	20	12	25	35 or 2 stories	10	65	40		
Townhouse	2,000	22	80	0 or 10	20	0	5	20	15	25	35 or 2 stories	½ bldg height but not less than 20	n/a	n/a		
Multi-Family	10,000	100	100	10	20	0	5	20	20	25	55 or 4 stories	½ bldg height but not less than 20	70	40		
Clubhouse	20,000	80	100	10	20	0	5	n/a	20	25	55 or 4 stories	½ bldg height but not less than 20	55	n/a		
Commercial (MPD 1 & 3) ¹	20,000	80	100	0 or 15 ²	25	n/a	5	per LDC	per LDC	25	55 or 4 stories	½ bldg height but not less than 20	55	55		

1

2

Applies to lots of all widths and to corner lots.
Building height to be limited to the lot width.

¹ Applies to lots of all widths and to corner lots.

² Building height is limited to 35 feet or 2 stories within 200 feet of The Vines and San Carlos Park. Buildings exceeding 35 ft in height must maintain additional building separation or additional building setbacks consistent with LDC Section 34-2174(a) and LDC Section 935(e)4.

³ Should the subject property be subdivided, a 0' setback to any internal lot lines will be required.

⁴ Structures in MPD Tract 1 must maintain a 100 ft setback from the Tract 5 property line.

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ZONING

III - A - 1 EXISTING EASEMENTS & R.O.W.
III - A - 2 EXISTING ZONING & LAND USE
(ARE REFLECTED ON THIS MCP)

NOTES:
I. DIRECT LEE TRANS SERVICE IS NOT AVAILABLE FOR THIS AREA; ONLY CALL AHEAD IS AVAILABLE SERVICE
II. ALL EXCAVATED SOIL FROM THE SITE WILL BE RETAINED AND UTILIZED ON SITE.

CROSS ACCESS EASEMENTS

RESIDENTIAL COMMUNITY

MASTER PLAN INSET

CONTROL ELEVATION 13.30

PROPOSED TO THE
REMAINDER OF THE ESTERO
GOLF RESORT MPD.

N.T.S.

AG-2 - (VACANT RESIDENTIAL)	/	RS-1 (VACANT RESIDENTIAL)

RSC-1
(VACANT RESIDENTIAL)

MPD
(VACANT RESIDENTIAL)

RESIDENTIAL
TRACT MPD - 5

BLASTING IS NOT PROPOSED

AG-2
(VACANT RESIDENTIAL)

**PRESS BEACH
V RESORT**

LDC DEVIATIONS

**MASTER CONCEPT PLAN CHANGES
(EXHIBIT IV - J - 1, VI - J - 3)**

[illegible]**MASTER CONCEPT PLAN AMENDMENT NOTES**

- 1 LOCATION OF TRANSIT BUS BENCHES. RELOCATION OF THE BUS BENCHES ALONG THE FRONT OF THE STORE MAY BE REQUIRED, THERE ARE NO DESIGNATED LEFT-LANE ROUTE STOPS CURRENTLY AVAILABLE WITHIN THE PROJECT AREA.
- 2 LOCATION OF SERVICE LOADING AND UNLOADING.
- 3 REFER TO THE PROPERTY DEVELOPMENT REGULATIONS TABLE FOR THE MAXIMUM BUILDING HEIGHT.

[illegible]

Sheet No.

C-2

EXHIBIT IV-A-1

ESTERO GOLF RESORT MASTER CONCEPT PLAN "WAL-MART OPTION"

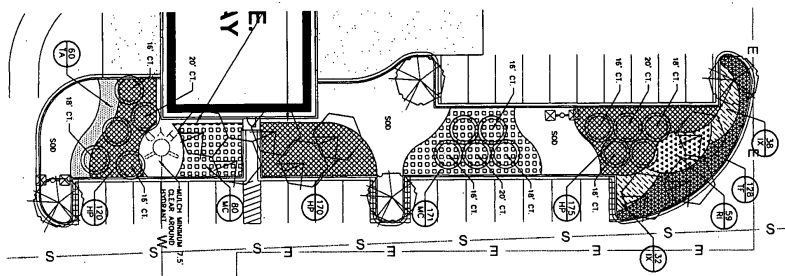
Activity	Name	Date
Designed by:	J.C.P.	07/
Drawn by:	T.W.E.	07/
Checked by:	J.C.P.	07/
Approved by:	J.C.P.	07/

Certificate of Authorization No. 3215

⚠		
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No.	Date	Revision

	Scale: 1" = 150'
	Date: JULY, 2003
	Job No. W13303
	File: MASTER-PLAN
Approved	© 2003

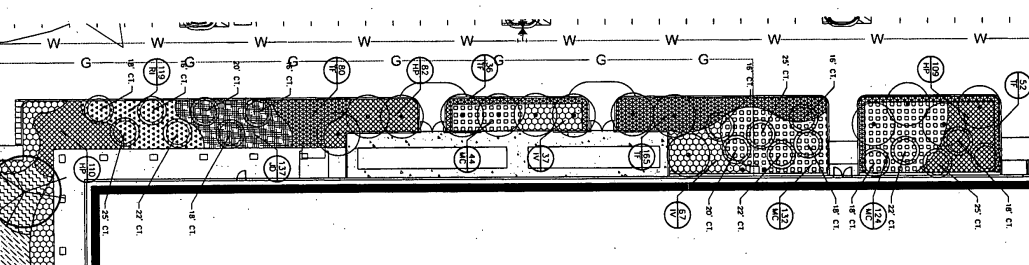
cph Engineers
Planners
Landscape Architects
Surveyors
Construction Management
to www.cphengineers.com
1211 Puck Street, Suite 205, Fort Myers, FL 33901
Phone: 239.531.5499 Fax: 239.531.2900

[illegible]

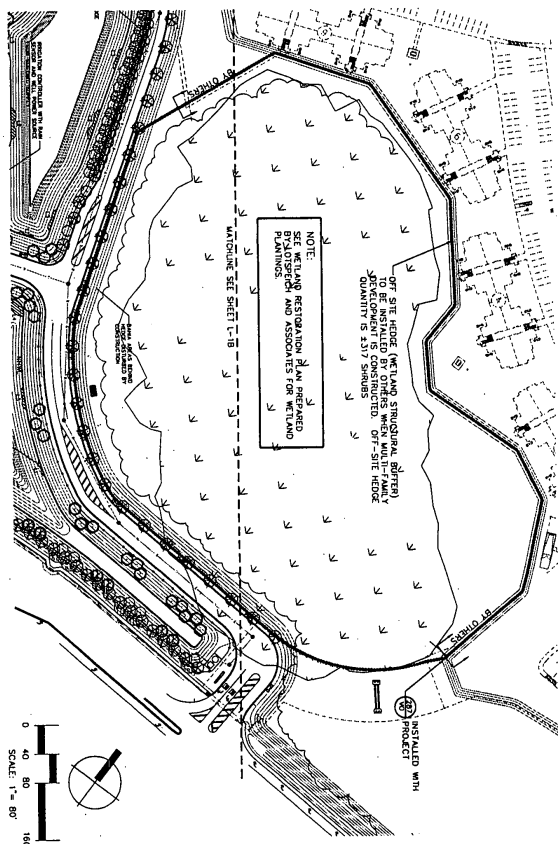
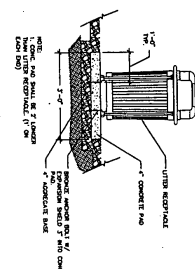
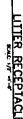
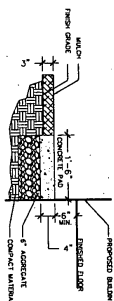
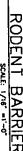
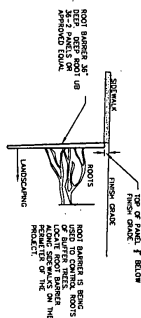
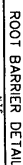
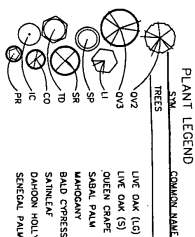
1
L11B

ENLARGED LANDSCAPE PLAN

SCALE: 1"=20'



2
1118
ENLARGED LANDSCAPE PLAN
SCALE: 1"=20'



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ZC 4445

FURNITURE LEGEND

QTY.	SYM.	ITEM
4	□	LITTER RECEPTACLE - MODEL MC 402-01 WITH BLACK FINISH AS MANUFACTURED BY BPP ENTERPRISES 1,888.438.5311
		SURFACE MOUNT WITH ANCHORS PER MANUFACTURER'S DIRECTIONS.

MICHAEL J. URSCHUK
6026675

Sheet No.
L-1B

EXHIBIT B - LANDSCAPE PLAN

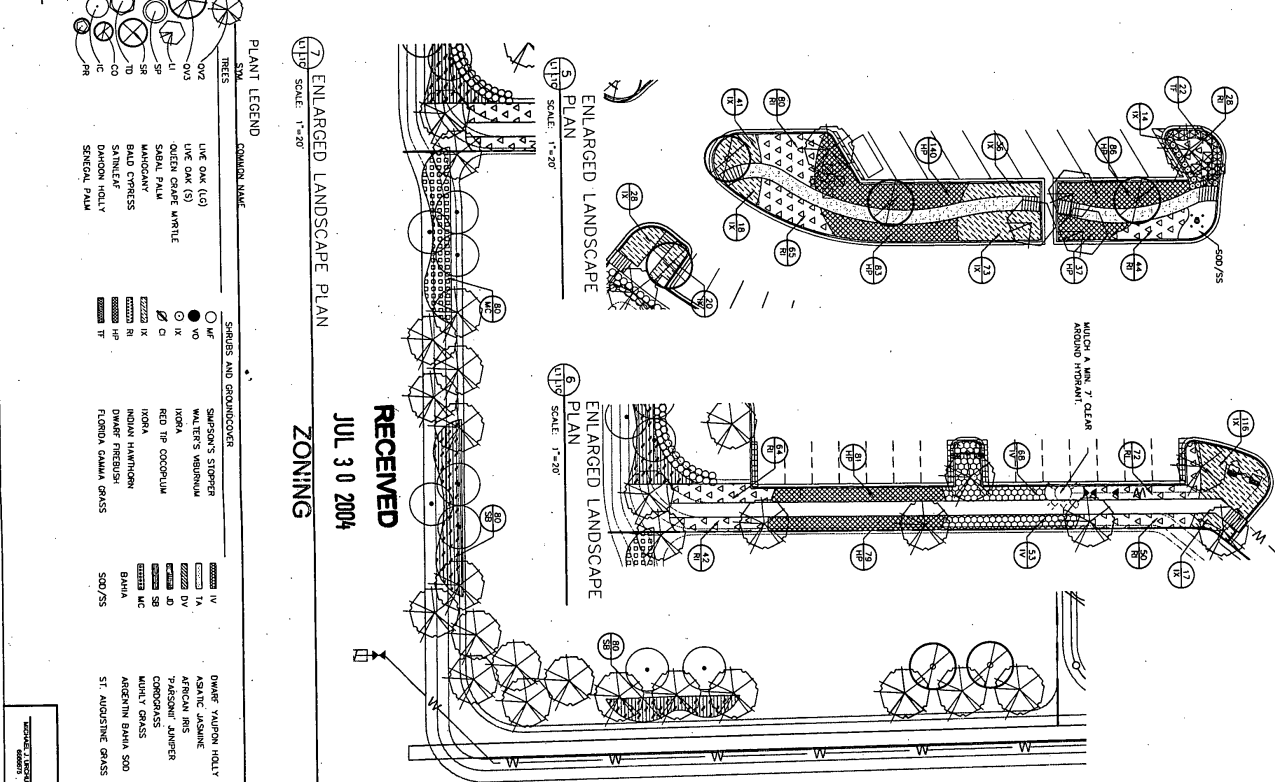
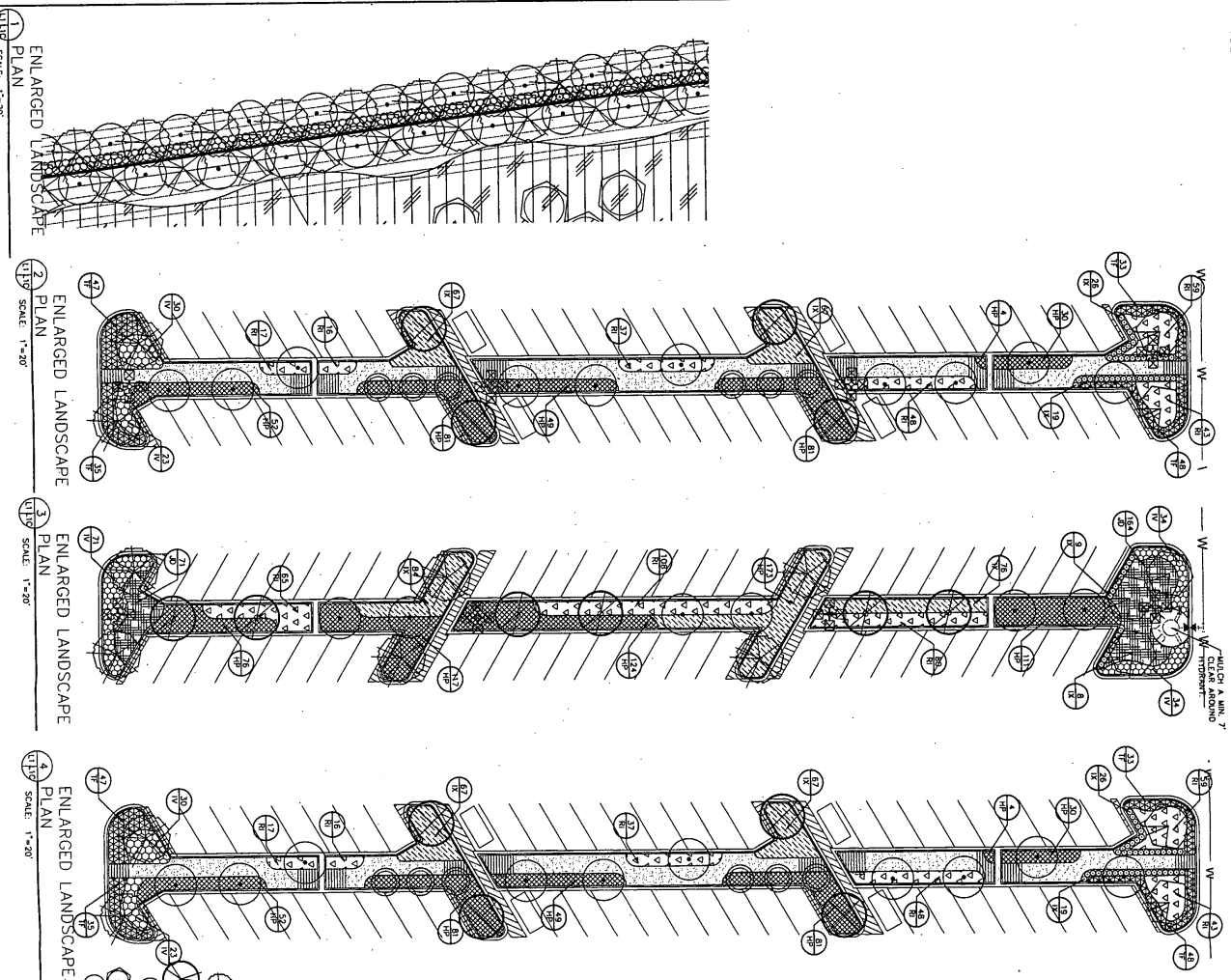
WAL★MART
SUPERCENTER
STORE #5347-00, ESTERO, FLORIDA

Activity	Name	Date	Δ	
Designed by:	MJU	8/03	Δ	
Drawn by:	KDL	8/03	Δ	
Checked by:	MJU	8/03	Δ	
Approved by:	MJU	8/03	Δ	
Certificate of Authorization No. 3219			No.	Date
				Revision

	Scale:	AS NOTED
	Date:	AUG.2003
	Job No.	W13303
	File:	LSP
Approved	© 2003	

cph Engineers
Planners
Landscape Architects
Surveyors
Construction Management

1010 W. cphengineers.com
2211 Peach Street, Suite 100, Fort Myers, FL 33901
Phone: 239.532.5499 Fax: 239.532.2953



Sheet No.		EXHIBIT B - LANDSCAPE PLAN		<table><tr><td>Activity</td><td>Name</td><td>Date</td><td></td><td></td><td></td></tr><tr><td>Designed by:</td><td>MJU</td><td>8/03</td><td></td><td></td><td></td></tr><tr><td>Drawn by:</td><td>KDL</td><td>8/03</td><td></td><td></td><td></td></tr><tr><td>Checked by:</td><td>MJU</td><td>8/03</td><td></td><td></td><td></td></tr><tr><td>Approved by:</td><td>MJU</td><td>8/03</td><td></td><td></td><td></td></tr><tr><td colspan="3">Certificate of Authorization No. 2033</td><td>No.</td><td>Date</td><td>Revision</td></tr></table>		Activity	Name	Date				Designed by:	MJU	8/03				Drawn by:	KDL	8/03				Checked by:	MJU	8/03				Approved by:	MJU	8/03				Certificate of Authorization No. 2033			No.	Date	Revision	1" = 20' Date: AUG 2003 Job No. W13303 File: LSP Approved © 2003	
Activity	Name	Date																																									
Designed by:	MJU	8/03																																									
Drawn by:	KDL	8/03																																									
Checked by:	MJU	8/03																																									
Approved by:	MJU	8/03																																									
Certificate of Authorization No. 2033			No.	Date	Revision																																						
L-1C		WALMART SUPERCENTER STORE #5347-00, ESTERO, FLORIDA				Engineers Planners Landscape Architects Surveyors www.cphengineers.com 2111 West Street, Suite 200, Fort Myers, FL 33901 Phone: 822.433.6499 Fax: 822.433.7953																																					

Sheet No.

L-1C

EXHIBIT B - LANDSCAPE PLAN

WAL-MART

SUPERCENTER

STORE #5347-00, ESTERO, FLORIDA

Activity

Name

Date

Designed by: MJU 8/03

Drawn by: KDL 8/03

Checked by: MJU 8/03

Approved by: MJU 8/03

Scale: 1" = 20'

Date: AUG 2003

Job No. W13303

File: LSP

Approved: [Signature]

cph Engineers

Planners

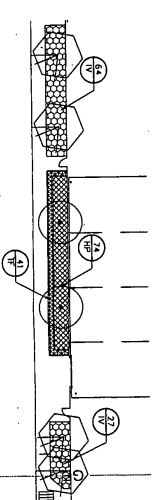
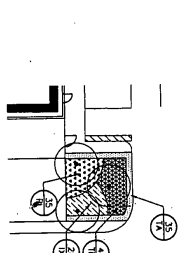
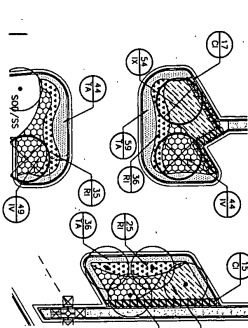
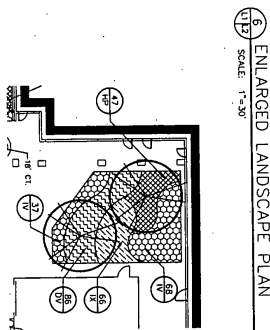
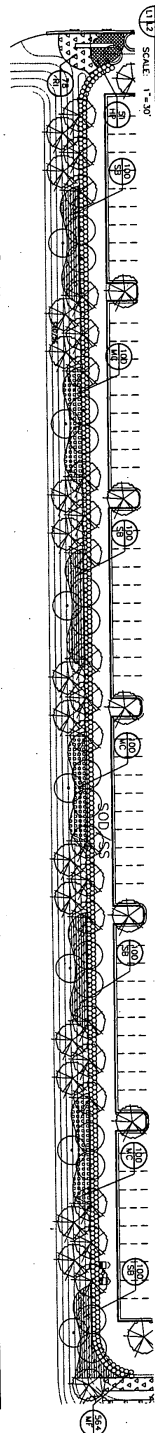
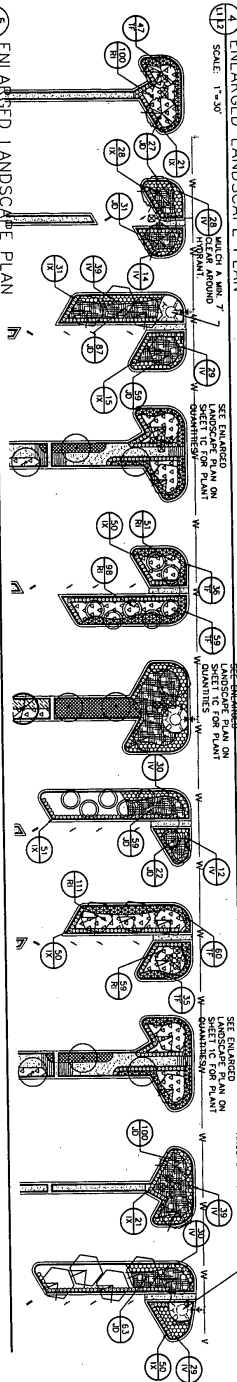
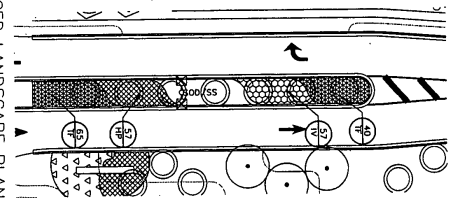
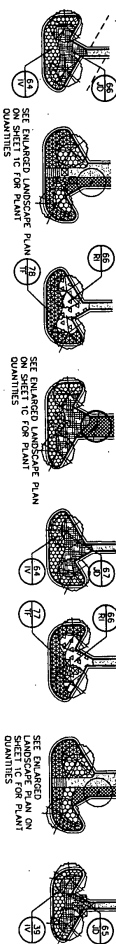
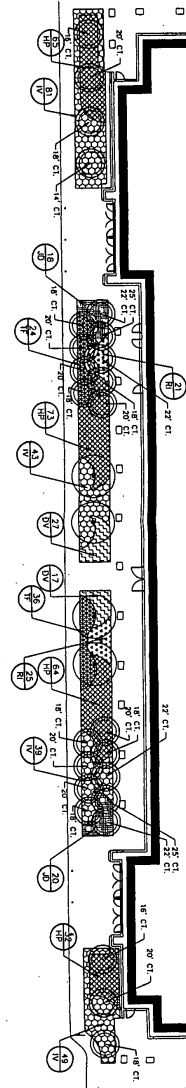
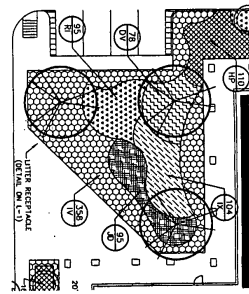
Landscape Architects

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Construction Management

1010 W. 10th St. Suite 200, Fort Myers, FL 33901

Phone: 339.433.4499 Fax: 339.433.4505



-
- Diagram illustrating the relationship between tree species and their corresponding symbols (circles with internal markings). The symbols are arranged in a vertical column on the left, and the species names are listed on the right.
- | Symbol Label | Tree Species |
|--------------|---------------|
| OV2 | LIVE OAK (LG) |
| OV3 | LIVE OAK (S) |
| LI | QUICH GRAPE |
| SP | SABAL PALM |
| SR | MAHOGANY |
| TD | BALD CYPRESS |
| CO | SALTINEAF |
| IC | DAYCORN HOLL |
| PR | SENEDEL PALM |

- [illegible]

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Sheet No. L-2	EXHIBIT B - LANDSCAPE PLAN WAL★MART SUPERCENTER STORE #5347-00, ESTERO, FLORIDA	Activity Name Data Designed by: MJU 8/03 Drawn by: KDL 8/03 Checked by: MJU 8/03 Approved by: MJU 8/03	No. Date Revision Certificate of Authorization No. 5213	Scale: 1" = 20' Date: AUG 2003 Job No. W13303 Files: LSP	 Engineers Planners Landscape Architects Surveyors Construction Management www.cphengineers.com 2212 Pied Street, Suite 100, Fort Myers, FL 33901 Phone: (813) 333-6476 Fax: (813) 333-2863
		Approved 5/03			

[illegible]

- [illegible]

1. SITE SHALL BE 100% IRRIGATED.
2. SYSTEM SHALL BE CONTROLLED AND MONITORED WITH RAINBOW ESP SITE CONTROLLER.
3. IRRIGATION SYSTEM WILL BE INSTALLED WITH A RAIN SENSOR.
4. FLORIDA IRRIGATION INDUSTRY STANDARDS WILL BE USED FOR DESIGN, PIPING, HEADS, NOZZLES, AND CONSTRUCTION.

SHRUB AND GROUNDCOVER PLANTING DETAIL

NIS

5' SHRUBS IS 8" X 8" FROM EXISTING BALL OF 8" HOPE FROM TOP 1/3 OF MINIMUM 12" WULCH

SOIL BED

MINIMUM 12" DEPTH OF PLANTING SOIL

1" WIDE WULCH (SEE LANDSCAPE NOTES FOR TYPE OF WULCH)

UNDISTURBED SUBSOIL

PLANTING SOIL USED PER SPECIFICATION

PROVIDE MINIMUM PIT CLEARANCE AROUND ROOT BALL OF 8" SIDES AND BOTTOM

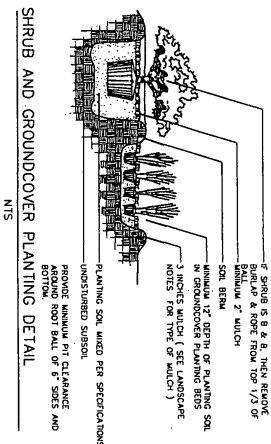
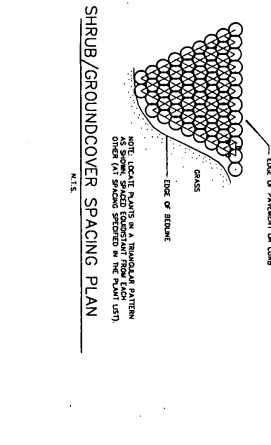


Diagram illustrating a shrub/groundcover spacing plan. The plan shows a triangular arrangement of plants, with labels indicating the 'EDGE OF WALKWAY', 'GRASS', and 'EDGE OF SHRUBS'. The plants are represented by circles, and the spacing is defined by the 'EDGE OF SHRUBS'.



150,000 SF
RECEIVED LABORATORY AREA
PROPOSED LABORATORY
50,000 SF (1.1M)

20,100 SF (2M)
RECEIVED LABORATORY
RECEIVED LABORATORY
26,000 SF (1.2M)
20,771 SF (1.0M)
21,700 SF (1.1M)

571,000 SF
(includes proposed access road)
RECEIVED LABORATORY
RECEIVED LABORATORY
PROPOSED TRAIL

417,256 SF
RECEIVED TRAIL
PROPOSED TRAIL
417,256 SF
(includes a portion of wet pond surface area per study)

208
1,300,000 SF
417,256 SF
417,256 SF
(41.7M)

[illegible]

LITTORAL ZONE PLANT LIST

LITTORAL ZONE PLANT LIST

MULTI TRUNK TREE PLANTING DETAIL

MULTI TRUNK TREE PLANTING DETAIL

NOTE: SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE.

TREE PLANTING

NOTE: SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE.

TREE PLANTING

[illegible][illegible][illegible][illegible][illegible]

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Sheet No.	LANDSCAPE DETAILS AND NOTES
L-3	WAL★MART SUPERCENTER STORE #5347-00. ESTERO, FLORIDA

Sheet No.	LANDSCAPE DETAILS AND NOTES
L-3	WAL★MART SUPERCENTER STORE #5347-00. ESTERO, FLORIDA

Sheet No. L-3	LANDSCAPE DETAILS AND NOTES		Activity Designed by: Drawn by: Checked by: Approved by:	Name MJU KDL MJU MJU	Date 8/03 8/03 8/03 8/03	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐
	WAL★MART SUPERCENTER STORE #5347-00, ESTERO, FLORIDA		Certificate of Authorization No. 0211 No. Date				

Sheet No. L-3	LANDSCAPE DETAILS AND NOTES		Activity	Name	Date	Δ			
			Designed by:	MJU	8/03	Δ			
			Drawn by:	KDL	8/03	Δ			
			Checked by:	MJU	8/03	Δ			
			Approved by:	MJU	8/03	Δ			
		Certificate of Authorization No. 3213			No.	Date	Revision	A	
		WAL★MART SUPERCENTER STORE #3347-00, ESTERO, FLORIDA							

Sheet No. L-3	LANDSCAPE DETAILS AND NOTES		Activity	Name	Date	Δ						Scale:	N/A
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			Drawn by:	KDL	8/03	Δ						Job No.	W13303
			Checked by:	MJU	8/03	Δ						File:	LSP
			Approved by:	MJU	8/03	Δ							
			Certificate of Authorization No. 3212		No	Date		Revision		Approved	(C) 2003		

