



Exhibit C

September 5, 2025

Development Services
 Lee County Department of Community Development
 1500 Monroe Street
 Fort Myers, FL 33901

RE: Kingston - Administrative Amendment

To whom it may concern,

Attached to this letter are the documents necessary to process an administrative amendment for the Kingston project. The Kingston project's development conditions and zoning were memorialized via Agreement Pursuant to Stipulation of Settlement Under Section 70.001, Florida Statutes dated June 22, 2022, as recorded under Instrument #2022000208255 and modified under the Final Judgment Approving Settlement Agreement Case No 22-CA-002743, dated March 27, 2023, as recorded under Instrument #2023000027647, by ADD2024-00047 and by the First Amendment to Agreement Pursuant to Stipulation of Settlement under Section 70.001, Florida Statutes, dated April 2, 2025. This amendment is to permit the following changes:

1. The addition of "Pod 4" at the southwestern corner of the property. Pursuant to condition 11B of the settlement agreement, additions to the project boundary are allowed to be processed administratively, so long as the request does not change the over all intensity/density of the project. This request seeks to redistribute the same density/intensity within the original settlement agreement, resulting in the following:

<u>DESCRIPTION</u>	<u>EXISTING</u>	<u>PROPOSED</u>	<u>RESULT</u>
KINGSTON ACREAGE	6,702.8 acres	7,657.5 acres	954.7 acres additional
PROJECT DENSITY	10,000 units	10,000 units	No Change *
PROJECT DENSITY PER ACRE	1.49 units/acre	1.31 units/acre	0.18 u/a reduction
MINIMUM RESTORATION REQUIRED	3,295.6 acres	3,768.3 acres	472.7 acres additional
MINIMUM OPEN SPACE REQUIRED	4,019.4 acres	4,596.0 acres	576.6 acres additional
LEE COUNTY UTILITIES			No Change *
TRAFFIC			No Change *
EMS			No Change *
FIRE			No Change *
SCHOOL			No Change *

As can be seen in the above, inclusion of the subject properties into the Kingston project boundary allow for significant restoration and open space to the region, without the tradeoff for density and additional stress on resources within the public domain, as would be incurred by these properties being zoned by a separate developer.

2. The modification of the spine road shared use path from 12' to 10' minimum, which remains compliant with FDOT regulations but allows for additional open space within the spine road corridor.

J.R. EVANS ENGINEERING

9961 INTERSTATE COMMERCE DR, STE. 230 / FORT MYERS, FL 33913 / 239.405.9148 (p) / 239.288.2537 (f)
 WWW.JREVANSENGINEERING.COM

Please find attached to this letter the following:

1. Cover Letter; ***Submitted Electronically***
2. Administrative Amendment Application; ***Submitted Electronically***
3. Affidavit of Authorization – Pepperplace, LLC; ***Submitted Electronically***
4. Affidavit of Authorization – Okeecrops, LLC; ***Submitted Electronically***
5. Affidavit of Authorization – CAM7-SUB, LLC; ***Submitted Electronically***
6. Disclosure of Interest – Pepperplace, LLC; ***Submitted Electronically***
7. Disclosure of Interest – Okeecrops, LLC; ***Submitted Electronically***
8. Disclosure of Interest – CAM7-SUB, LLC; ***Submitted Electronically***
9. List of additional STRAPS; ***Submitted Electronically***
10. Revised Exhibit A – Sketch and Legal Description; ***Submitted Electronically***
11. Revised Exhibit C – Master Concept Plan; ***Submitted Electronically***
12. Revised Exhibit D – Schedule of Uses; ***Submitted Electronically***
13. Revised Exhibit E – Conditions of Development and Deviations; ***Submitted Electronically***
14. Access Separation Exhibit; ***Submitted Electronically***
15. FLUCFCS Map of Additional Lands; ***Submitted Electronically***
16. Revised Protected Species Survey; ***Submitted Electronically***

Note: Revisions to Exhibits “D” and “E” are shown with additions **bolded and underlined**, and deletions ~~struck through~~.

Please review the enclosed information for approval. Should you have any questions, or require additional information, please contact our office.

Sincerely,



Brandon Frey, P.E.
Vice President
Director of Land Development Engineering



Kingston Pod 20 Compatibility Analysis

The applicant proposes an addition to the Kingston project of roughly 954 acres to add another pod, namely, pod 20, to the Kingston project. This addition does not propose to increase intensity or density. This compatibility analysis is provided in response to County comments requesting explanation on how this addition and pod 20 integrate into the surrounding area.

The Kingston development is located within an area that characterized by a mix of rural, agricultural, conservation and low density residential uses. In recognition and response to this context, the Kingston development is a “clustered” community, which allows for significant open space, conservation, wildlife connectivity and water connectivity. Pod 20 continues this theme by separating residential portions by a minimum of 55’, with the majority of the perimeter being significantly greater.

This separation will serve as conservation area, following the cessation of agricultural cultivation and restoration of the areas to their pre-agricultural naturality. This conservation area will be replanted with native species, serving additionally to soften the edge between the Kingston project and surrounding areas.

Another key note to the project’s compatibility is its 500’ + separation from nearby residential structures. Homes proposed within the Kingston development exist at a minimum of roughly 500’, which is greater separation than those homes have from other nearby residential structures.

Along pod 20’s northern edge lies a mine. The site plan for pod 20 was carefully crafted to avoid existing wetlands and provide upwards of 1,000’ of separation from existing mine facilities to proposed residential. This meaningful separation is filled primarily with thick and established native vegetation, which serves to buffer the residences from noise, vibration, dust, and visual impacts. This addition also contains a larger separation from mining activities than previously approved portions of the Kingston project.

Collectively, the clustering, enhanced open space, conservation and generous setbacks from nearby homes, demonstrate that the Kingston expansion are compatible with the character and function of the surrounding area.



Water Tank Setback Deviation Justification

Deviation 9 seeks relief from LDC 10-351(d)(2) which requires 100' setback from an aboveground water tank to the property line, to allow for a 60' setback.

Justification: In an effort to provide as much conservation land as possible for the Kingston project, the applicant proposes the subject deviation to allow for relief from the minimum setback, and instead utilize a 60' setback where not adjacent to development. The water tanks for the project, located in Pod 17, maintain the County required 100' setbacks where adjacent to development, and proposes less when adjacent to the project's conservation lands. This minimization in setback does not affect the buffering proposed for the tanks.

JR EVANS ENGINEERING, P.A.

9961 INTERSTATE COMMERCE DRIVE, STE. 230 / FORT MYERS, FL 33913 / 239.405.9148 (p) / 239.288.2537 (f)

WWW.JREVANSENGINEERING.COM



Deviation 10 Justification

Deviation 10 seeks relief from LDC 34-625, which requires less than 0.5 footcandle of illuminance measured at the property line for pod entries, to allow for up to 1.5 footcandles 75' from the property line where necessary to maintain safer roadway or intersection lighting levels, so long as the spillage isn't onto a residential lot.

Justification: Currently, the LDC requires that light not be spilled onto any adjacent properties above 0.5 footcandles. This deviation allows for sufficient lighting to be provided in accordance with current Florida Department of Transportation criteria utilizing onsite lighting, limiting the necessity for additional poles, lessening crash risk along rights of way, and improving roadway safety.

J.R. EVANS ENGINEERING

9961 INTERSTATE COMMERCE DRIVE, STE. 230 / FORT MYERS, FL 33913 / 239.405.9148 (p) / 239.288.2537 (f)
WWW.JREVANSENGINEERING.COM