



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

| | | |
|---------------------------------------|---|-----------------------------|
| | P&Z Date: 04/27/2026 | BCC Date: 05/19/2026 |
| Case Number | 260509ZP | |
| CDP-AR | PL PUD -000392-2026 | |
| Type of Case | PUD Amendment with Master Plan: Request to 1) allow six pickleball courts and two manufactured buildings (built without permit); 2) modify buffers; 3) modify construction access; and 4) 3) expand allowable uses to B-2, modify DRA, and modify site plan layout as submitted PUD Master Plan. | |
| Owner | Marion Gaming Management, LLC | |
| Applicant | Tillman and Associates Engineering, LLC | |
| Street Address/Site Location | 17996 S US HWY 301, Summerfield, FL (access parcel in Sumter County) | |
| Parcel Number(s) | 48476-001-00 and 48476-002-00 | |
| Property Size | 65.51 ± acres (project area 69.85 ± acres including access parcel in Sumter County) | |
| Future Land Use | Commercial (COM) | |
| Existing Zoning Classification | Planned Unit Development (PUD) 20191106Z (approved February 18, 2020) | |
| Overlays Zones/Special Areas | Secondary Springs Protection Zone, Flood Prone Areas. | |
| Staff Recommendation | Request 1 & 3 – Approval with Conditions Request 2 – Denial (or Approval with Staff-Recommended Conditions) | |
| P&Z Recommendation | Approval with Staff-Recommended Conditions (3-0) | |
| Project Planner | Xinyi Cindy Chen | |
| Related Cases | Code violation cases - ongoing: 1) Construction without permit NOV-2604-0678 - concrete slab for pickleball courts. 2) Construction without permit No. 931915 - gaming room, tiki hut bar, trailers, buildings, and mechanical electrical and plumbing connection without permit. Development review cases: Major site plan (AR 31582 & AR 32084 – pending), Waiver (WaiverPIR-000551-2026 - approved) | |

I. BACKGROUND:

Tillman and Associates Engineering, LLC, on behalf of the owner Marion Gaming Management, LLC, filed a PUD amendment to request modifications of the approved PUD concept plan (see Attachment A). The amendment includes 1) to allow six pickleball courts and two manufactured buildings (built without permit); 2) modify buffers; ~~3) modify construction access; and 4) and 3)~~ other requests such as expanding allowable uses to B-2 uses, DRA modification, and site plan layout as submitted Master Plan. Proposed PUD Master Plan is provided as shown below (Figure 2 and Attachment B). The Parcel Identification Numbers for the property are 48476-001-00 and 48476-002-00. The subject property sits in Commercial (COM) land use designation. The site is located outside of the Urban Growth Boundary and within the Secondary Springs Protection Zone and Flood Prone Areas. There are several code violation cases for the construction without permit and non-conforming uses including pickleball courts and manufactured buildings that were built and operating on site without approved PUD and building permits.

Figure 1 – Aerial Location Map



Figure 2 - Proposed PUD Master Plan

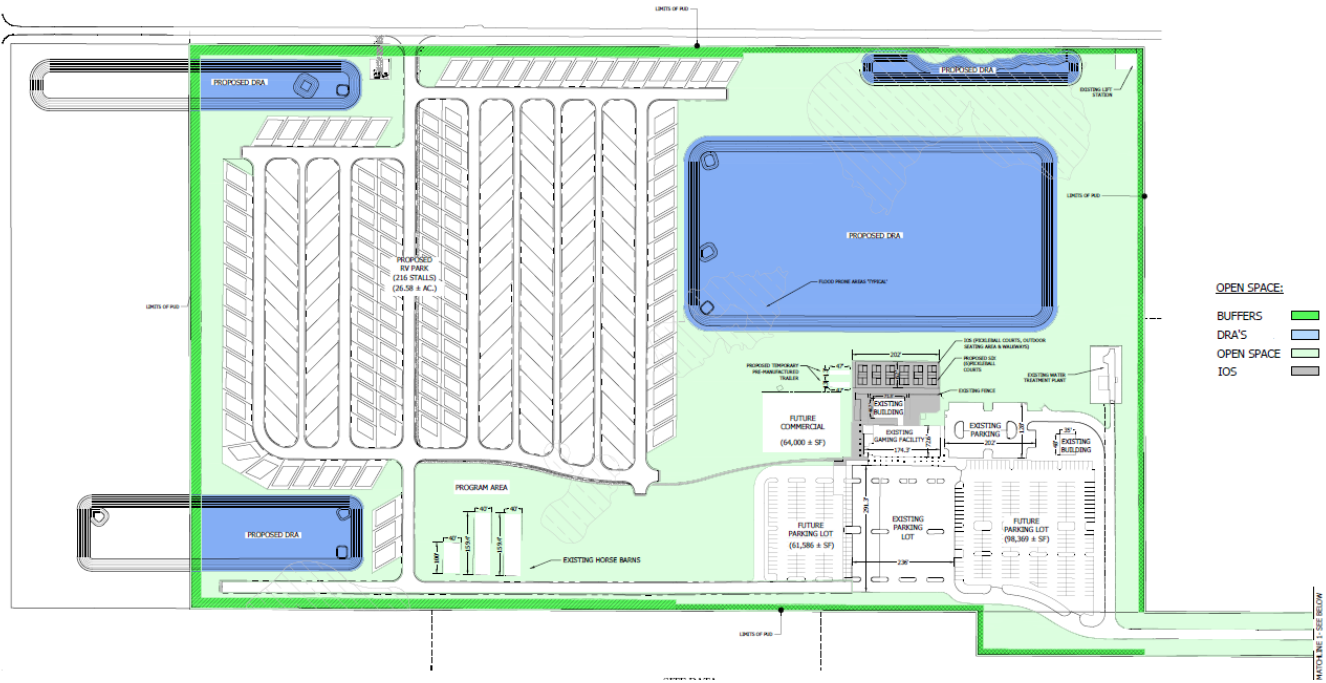
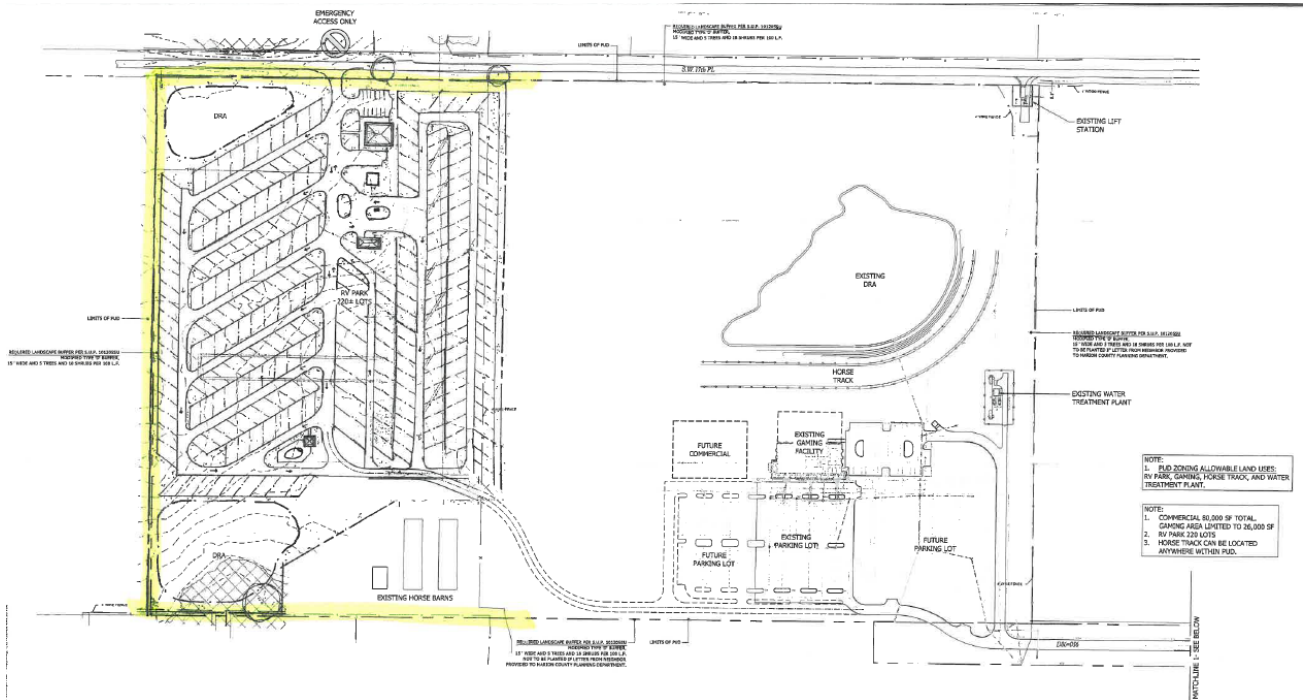


Figure 3 – Approved PUD Concept Plan (191106Z)



The subject property has an extensive regulatory history. The parcels were originally zoned A-1 (General Ag). In June 2010, the Board of County Commissioners approved Rezoning to A-2 (Improved Ag) and Special Use Permit 100405SU (Resolution 10-R-243) to allow the operation of a horse racetrack and clubhouse (not to exceed 22,000 SF) on approximately 66 acres. In December 2010, the BCC approved an amendment to the SUP under 101205SU (Resolution 10-R-637), modifying the concept plan and conditions, including increasing the clubhouse to 26,000 SF and allowing assignment of the SUP to Marion Gaming Management, LLC. In February 2020, the BCC approved a land use change from Rural to Commercial and a rezoning from A-2 to PUD for parcels 48476-001-00 and 48476-002-00 (191106Z). The approved PUD conditions (Resolution 20191106Z) and approved PUD concept plan (Figure 3) established the current regulatory framework, including buffer requirements, access limitations, a 26,000 SF cap on the gaming floor area, and a final PUD Master Plan approval requirement. The prior SUPs (100405SU and 101205SU) were functionally repealed upon approval of the authorized uses within the PUD. The current application, 260509ZP, is the first amendment to the approved PUD.

| Track and Card PUD | 100404Z | 100405SU | 101205SU | 2019-L06 | 191106Z | 260509ZP |
|----------------------------|-------------------------------|--|---|---|--|--|
| Application Request | Rezoning from A-1 to A-2 | SUP for horse track and clubhouse in A-2 | SUP Amendment - Modify previously approved (100405SU) - horse track | Land Use Amendment: RL (Rural Land) to COM (Commercial) | A-2 to PUD Concept Plan: Land use change from Rural to Commercial and rezoning from A-2 to PUD; gaming facility, horse track, RV park, water treatment plant | PUD Amendment – Master Plan: to 1) allow six pickleball courts and two manufactured buildings (built without permit); 2) modify buffers; 3) modify construction access; and 4) and 3) expand allowable uses to B-2 uses, modify DRA layout, and site plan layout as submitted Master Plan |
| Parcel | 48476-000-00 and 48476-000-01 | 48476-000-00 and 48476-000-01 | 48476-001-00 and 48476-002-00 | 48476-001-00 and 48476-002-00 | 48476-001-00 and 48476-002-00 | 48476-001-00 and 48476-002-00 |
| Allowed Uses | Rezoning to A-2 uses | Horse track and clubhouse (22,000 SF) | Horse track and clubhouse (26,000 SF) | RL to COM | Horse track, Gaming room (26,000 SF), RV park, water treatment plant | Poker room (26,000 SF), horse track, tiki hut bar, pickleball courts, RV park and B-2 uses |
| BCC | Approval | Approval with Conditions | Approval with Conditions | Approval | Approval with Conditions | <i>Staff Recommendation:</i> Approval with Conditions to #1 & 3 and Denial to #2 & 3 <i>P&Z Recommendation:</i> Approval with |

| | | | | | | |
|--|--|--|--|--|--|---|
| | | | | | | Conditions (staff recommended conditions) |
|--|--|--|--|--|--|---|

II. PUD AMENDMENT REQUEST:

The PUD amendment with Master Plan 260509ZP (Application No. PL PUD-000392-2026) requests to modify the approved PUD concept plan for the following:

1. **Pickleball Courts and Manufactured Buildings:** Authorize six (6) pickleball courts and two (2) pre-manufactured buildings/trailers for office and storage use that were constructed and placed on site without required PUD approval and building permits.
2. **Buffer Modifications:** Modify buffer conditions from those established under Resolution No. 20191106Z, specifically to remove or defer the western boundary buffer requirement, reduce the RV Park berm height from six (6) feet to three (3) feet, remove the opaque fencing requirement, and defer planting all buffers to date uncertain.
3. ~~**Construction Access:** Modify construction access to permit temporary construction access via SE 177th Place and SE 180th Street. (#3 is removed per applicant's request at P&Z and after P&Z discussion)~~
4. **(Now request item #3) Other requests that were not noted on the application form:** Change allowable uses from certain permitted uses to general B-2 allowed uses in addition to the request above, DRA modifications to sit across adjacent property, and modify site plan layout, etc.

III. ANALYSIS:

A. Code Violations and Unpermitted Development:

Staff notes the existence of active code violation cases for the subject property. The applicant acknowledges that the following structures and uses were established on site without required PUD approval or building permits:

Planning and Zoning code violations:

- Non-conforming uses that were not approved by the BCC (PUD 191106Z): Six pickleball courts and two pre-manufactured trailer/modular buildings (office and storage uses).
- Buffer deficiencies

Building code violations:

- Gaming facility – currently built, and in operation, without permit.
- Tiki hut bar – currently built, and in operation, without permit.
- Six pickleball courts — currently built, concrete on site, and in operation, without permit.
- Two pre-manufactured trailer/buildings (office and storage uses) — currently on site, without permit.

- Site improvements including parking lots, outdoor spaces, etc. - currently built and in operation, without permit.
- MEP (Mechanical, Electrical, and Plumbing) – connected without permit.

A significant purpose of this PUD amendment is to retroactively authorize unpermitted construction and non-conforming uses. Staff finds this approach contrary to the orderly development framework established under the LDC and the approved PUD conditions, and contrary to the County's interest in ensuring compliance with permitting requirements prior to, not after, development activity. Approval would establish a precedent whereby owners may build without permits and subsequently seek regulatory authorization through the amendment process.

Staff supports the addition of six pickleball courts and two manufactured trailers/buildings (office and storage) as they currently exist and general B-2 allowed uses in addition to approved uses (horse track, gaming facility, clubhouse, water treatment plant). No other modifications of uses would be supported. This would bring the site into compliance and allow the owner to obtain the required permits through the appropriate process. **Modified Condition #2 and #3 are recommended by the staff if the request is considered to be approved by the BCC.** (See Section IV in this report)

B. Buffer Modifications:

Buffer requirements are among the most significant contested elements of this amendment and, as indicated by the applicant, are “expected to be a debate at the public hearing”. Staff’s analysis is conducted by plan review, code compliance, coordination with Growth Services staff and Parks and Recreation staff, and staff planner’s own field review.

1. **Existing Buffer Non-Compliance.** A threshold issue that predates this amendment is that the existing site buffers do not meet the requirements of Resolution 20191106Z. Staff’s review reveals deficiencies on multiple boundaries: the southern boundary contains approximately one tree per 100 linear feet against the required five trees per 100 LF under Condition #3. Similar deficiencies are present on the western and northern boundaries, and likely the eastern boundary as well. Fill-in plantings will be required to bring existing buffers into compliance.
2. **Western Boundary.** The western boundary of the subject parcel abuts agricultural land and serves as the interface between the proposed RV park and adjacent rural uses. Pursuant to the Land Development Code (LDC), a Type D buffer with a wall is required between commercial and agricultural uses. The approved PUD previously granted a reduced buffer standard, allowing a 6-foot opaque fence in lieu of a wall. The applicant is now requesting further reduction of this already modified buffer by eliminating the opaque fencing requirement and reducing the required 6-foot berm to 3 feet. During discussions,

staff indicated support for reducing the berm height from 6 feet to 3 feet and allowing vegetation in lieu of fencing only if the applicant provides detailed landscape plan, cross-sections, and color renderings demonstrating that the proposed vegetative buffer would achieve an effective visual screen from adjacent roadways and properties.

Additionally, a power line exists along the western boundary, raising feasibility concerns regarding the installation of the required berm and shade trees. While the applicant has indicated potential relocation of the power line on the Major Site Plan, no supporting cross-sections or rendered buffer plans have been submitted to demonstrate how the berm and required plantings would be accommodated.

The applicant has also requested to defer buffer installation to an unspecified future date. Both Growth Services staff and Parks & Recreation staff do not support this request. The existing buffer is deficient and not in compliance with the approved Resolution conditions. Furthermore, the adjacent parcel is designated Rural Land with A-2 zoning, which requires a Type D buffer with a buffer wall per LDC. The possibility of future changes in property ownership further underscores the need for compliance at this stage. Common ownership does not override LDC requirements and would not justify deferral or waiver of required buffer installation.

3. **Northern Boundary.** Trees located within the County right-of-way along the northern boundary are County-owned and cannot be credited toward the PUD buffer requirement. Parks & Recreation has also identified limited space for additional shade trees along this boundary. A tree inventory and a detailed buffer plan identifying the location, species, and spacing of existing and proposed plantings are needed.
4. **All buffers – no sufficient information provided for review or approval.** Given the approved waiver to process landscape plan for the Major Site Plan concurrently with and consistent to the Master Plan, staff requests sufficient detail be provided at the Master Plan stage to demonstrate an effective and functional buffer and compliance with Type D buffer requirements or an appropriate modification. Parks and Recreation staff noted concerns regarding the accuracy of berm depiction, flexibility in plant materials, and the need for species-appropriate spacing to ensure a continuous visual screen, particularly given site constraints along the northern boundary. In response, the applicant stated that the rendering reflects the berm and that specific plant materials are more appropriately addressed at the landscape or construction plan stage, citing potential future availability constraints. While staff acknowledges this concern and is willing to work with the applicant on feasible alternatives at the time of installation, staff maintains that the current submittal must provide sufficient information to demonstrate that a compliant and functional buffer can be achieved and should not defer key design elements between review stages.

5. **Staff's Position on Requested Modifications.** The applicant requests: (a) extension of the deferral option to plant the buffers; (b) elimination of fencing requirement where the LDC requires a buffer wall; and (c) reduction of the minimum berm height in Condition #4 from 6 feet to 3 feet.

On the buffer deferral: staff does not support an open-ended or indefinite deferral. The stated intent that 'adjacent properties are under common ownership and therefore no buffer is needed' suggests the buffer may never be built. Deferred planting buffers do not constitute an adequate resolution and substitute elimination for a workable solution. The original BCC approval allowed buffer deferral only along the southern and eastern boundaries, and did not include the western boundary. Any buffer planting deferral approved by the BCC must be date-certain and not to exceed six months of approval date. Extending this deferral would further diminish an already reduced buffer requirement and weaken the intent of the original approval. It also sets a precedent that the same ownership could override the LDC requirement and introduces concerns about long-term enforceability. Staff requested a timing plan for planting, however, the applicant has not submitted requested timeline or any information regarding the timeline for buffer installation. Thus, staff does not support buffer deferral for this project.

On the berm reduction and fencing removal: staff's position reflects discussions with Parks & Recreation staff and applicant, in which staff indicated openness to reducing the RV Park berm height from 6 feet to 3 feet in Condition due to site constraints as well as eliminating the fencing requirement by vegetative buffer. Staff would support for reducing the berm height from 6 feet to 3 feet and allowing vegetation in lieu of fencing only if the applicant provides detailed landscape plan, cross-sections, and color renderings demonstrating that the proposed vegetative buffer would achieve an effective visual screen from adjacent roadways and properties. This must be completed and approved by Park & Rec staff at the Master Plan stage.

In summary:

- **Staff support the berm height reduction from six feet to three feet.**
- **Staff conditionally support vegetative buffers in lieu of fencing in Condition** only if the applicant provides detailed landscape plan, cross-sections, and color renderings demonstrating that the proposed vegetative buffer would achieve an effective visual screen from adjacent roadways and properties.
- **Staff does not support the open-ended boundary deferral in any Conditions.** Buffers should be installed within six months of approval date.
- **The absence of a resolved, code-compliant buffer plan and illustrations is itself a basis for denial.** Before any buffer modification can be meaningfully evaluated and agreed, the following must be resolved at the Master Plan stage: existing tree inventory; a detailed buffer plan with cross-sections and renderings showing berm and plantings; a timing plan for installation; and Parks & Recreation approval of a landscape plan.

Thus, staff recommends denial for this request. If the request is approved by the BCC, modified Condition #4 ~~and #5 are~~ is recommended to be considered and adopted (See Section IV in this report.)

Update on 04/29/2026 after P&Z hearing: During the P&Z hearing, the applicant indicated a willingness to proceed with the staff-recommended conditions and continue working with staff on the proposed buffer conditions following the hearing. After the P&Z meeting, staff provided a revised buffer proposal based on the common ownership of the adjacent parcels and the applicant's representation that the adjacent western parcel is anticipated to be incorporated into the PUD within the next few years. Staff has discussed these revisions with the applicant through phone conversations and email correspondence.

As of the publication of this report, the applicant has not provided comments or feedback indicating agreement or disagreement with the revised buffer proposal. Staff recommends the following buffer condition:

Condition #4: The buffers shall be designed, installed, and maintained as follows:

A. Northern and Southern Boundary:

- a) RV Park area: Modified Type D buffer shall be provided, consisting of a minimum three foot-high berm with a maximum slope ratio of 3:1. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. A six-foot-high opaque fence shall be required, or the vegetative shall be designed and maintained to provide a continuous opaque vegetative buffer at the time of installation and shall achieve a minimum height of six feet within two years of installation.
- b) Other area: Modified Type D Buffer, with minimum 15-foot width. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer.

B. Western Boundary:

- a) The Owner shall submit and obtain approval of PUD Amendment to include the adjacent parcel to the west (PID 48476-000-00) and development plan within five years of the approval date of this PUD Master Plan. Until such time as the adjacent parcel is incorporated into the PUD and developed pursuant to an approved development plan, a six-foot-high vinyl fence shall be installed and maintained along the western boundary of the subject property. Should the adjacent property be incorporated and developed as part of the PUD, the vinyl fence may be removed upon approval of the PUD Amendment, and the western boundary buffer requirements shall be re-evaluated based on the uses and development approved for the adjacent parcel.

- b) In the event the development plan of the adjacent parcel to the west is not approved within the required timeframe or the adjacent parcel (PID 48476-000-00) is sold or conveyed to different owner(s), the following buffer shall be installed and maintained within five years from the approval date of this PUD Master Plan or within ninety days of the ownership change: Modified Type D buffer shall be provided, consisting of a minimum three foot-high berm with a maximum slope ratio of 3:1. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. A six-foot-high opaque fence shall be required, or the vegetative shall be designed and maintained to provide a continuous opaque vegetative buffer at the time of installation and shall achieve a minimum height of six feet within two years of installation. A landscape plan identifying all critical root zones shall be submitted to the Marion County Landscape for review and approval during Major Site Plan.

C. Southern and Eastern Boundary:

The Owner shall submit an affidavit, in a form acceptable to the Marion County Growth Services and signed by the adjacent property owner(s), acknowledging and accepting the proposed modified buffer and buffer deferral, within thirty days of the approval date of this PUD Master Plan. In the event the adjacent property is sold or conveyed to different owner(s), the subject property Owner shall submit the required affidavit signed by the new adjacent property owner(s) within sixty days of the ownership change in order to maintain the approved buffer deferral. Failure to submit the affidavit within the required timeframe shall result in the requirement to install and maintain the buffer same as Northern boundary requirement within ninety days of the ownership change.

~~**C. Construction Access on SE 177th Place:**~~

~~Approved PUD Condition limits site access to S. US 301 via a paved driveway apron with FDOT approval, with additional access to SE 177th Place permitted only in compliance with LDC requirements for emergency access, access management, and driveway permits. The applicant requests a condition amendment permitting temporary construction access via SE 177th Place and SE 180th Street. The Office of the County Engineer has recommended a PUD condition explicitly prohibiting construction access from SE 177th Place and requiring all construction traffic to use the main entrance off US 301. SE 177th Place is a minor local roadway less than 20 feet wide, not constructed to handle heavy construction vehicle traffic. Staff supports the OCE Traffic staff's position. Thus, staff recommends denial for this request. If the request is approved by the BCC, modified Condition #10 is recommended to be considered and adopted (See Section IV in this report.)~~

Update on 04/29/2026 after P&Z hearing: Applicant requested to remove this amendment request. Staff agreed.

D. Drainage Retention Area (DRA) Easements:

The approved PUD concept plan shows the DRAs are all located within the PUD area. However, the submitted PUD Master Plan has modifications to two DRAs. The proposed DRAs appear to be located partially on an adjacent parcel to the west. The applicant responded that the western parcel is under the same ownership as the project site and proposed a plan note citing common ownership, with easements to be recorded only if either property is conveyed separately in the future. Staff does not accept this approach. Common ownership does not eliminate the need for a recorded easement. It simply means the same owner can execute it now. Florida Statute §704.09 expressly authorizes a property owner to create and record an easement across commonly owned properties. An established easement runs with the land, not with the owner, ensuring that the drainage infrastructure remains legally encumbered regardless of any future change in ownership or conveyance. Accordingly, **staff requires recorded drainage easements for the two DRAs that extend across the subject property and the adjacent parcel to the west, prior to or concurrent with Major Site Plan approval.** A plan note citing common ownership is not a substitute for a recorded instrument.

E. Traffic Impact Study:

The applicant relies on a 2014 Traffic Impact Study (dated July 2014) for the gaming facility and horse track, as well as a 2026 Traffic Statement (dated January 28, 2026) for the RV park and pickleball courts. Staff identifies the following deficiencies:

- The 2014 TIS is over 12 years old, relying on 2012-2014 traffic count data with modeled build-out years of 2015, 2018, and 2020. All of which have passed. Current conditions on US 301 are not reflected. Approved PUD Condition requires the traffic study to be completed to the satisfaction of the County Engineer prior to final PUD Master Plan approval.
- The 2026 Traffic Statement covers only the RV park (216 spaces) and 6 pickleball courts (32 PM peak-hour trips), although the max RV park stalls requested is 220 spaces.
- No comprehensive full build-out TIA has been submitted integrating all proposed uses.

OCE Traffic staff reviewed the submitted documentation and determined that the 2026 Traffic Statement, together with the approved 2014 TIA, is acceptable in lieu of a full Traffic Impact Analysis (TIA), as the addition of pickleball courts is not considered a significant change in traffic impact. Accordingly, the requirement of the approved condition for a TIA is deemed satisfied and has been removed from the recommended conditions.

F. Land Uses and Compatibility:

The approved PUD Concept Plan permits a range of uses as outlined in the analysis above that allows gaming facility, pickleball courts, horse track, and RV park. However, regarding the proposed change of uses, staff remains concerned

about the potential compatibility impacts associated with the intensity and operational characteristics of such uses. In particular, late-night activities such as the outdoor bar and pickleball courts operating until 2:00 AM may generate noise, lighting, and activity levels that are not typically consistent with the surrounding agricultural and rural residential context outside the Urban Growth Boundary. While these uses may be permitted under the approved concept plan, their cumulative intensity and hours of operation may still result in adverse impacts to adjacent properties and should be carefully considered in evaluating overall land use compatibility.

IV. STAFF RECOMMENDATION

Staff recommends the Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE WITH CONDITIONS for Request 1 and 3** for 260509ZP Track and Card Room PUD Amendment with Master Plan based on the analysis above. **For Buffer modification (Request #2), staff recommends DENIAL** to the proposed request due to concerns discussed above. **In the event that staff-recommended Condition #4, or a substantially similar condition, is adopted to adequately address staff's concerns, approval with conditions may also be considered.**

STAFF RECOMMENDED CONDITIONS

Should the Board of County Commissioners determine that approval is appropriate notwithstanding staff's recommendation, the following conditions are recommended. Conditions are based on the ten conditions approved in Resolution No. 20191106Z, with modifications as noted:

1. **[Modified]** The PUD Master Plan approved under this case shall constitute the final PUD Master Plan for Case No. 20191106Z as amended. Any future modifications shall require BCC approval with proper notice and advertisement at the applicant's expense.
2. **[New condition]** PUD Zoning allowable land uses are limited to: RV park (not to exceed 220 lots), gaming facility, horse track, pickleball courts (up to six courts), temporary manufactured structure/trails (up to two for office and storage uses), and B-2 permitted uses.
3. **[Modified]** Total commercial and recreational floor area shall not exceed 80,000 SF. The cardroom operation gaming floor area shall not exceed 26,000 SF, counted as part of total commercial and recreational 80,000 SF.
4. **[Modified]** The buffers shall be designed, installed and maintained as follows:
 - A. **Northern and Southern Boundary:**
 - a) RV Park area: Modified Type D buffer shall be provided, consisting of a minimum three foot-high berm with a maximum slope ratio of 3:1. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part

thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. A six-foot-high opaque fence shall be required, or the vegetative shall be designed and maintained to provide a continuous opaque vegetative buffer at the time of installation and shall achieve a minimum height of six feet within two years of installation.

- b) Other area: Modified Type D Buffer, with minimum 15-foot width. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer.

B. Western Boundary:

The Owner shall submit and obtain approval of PUD Amendment to include the adjacent parcel to the west (PID 48476-000-00) and development plan within five years of the approval date of this PUD Master Plan. Until such time as the adjacent parcel is incorporated into the PUD and developed pursuant to an approved development plan, a six-foot-high vinyl fence shall be installed and maintained along the western boundary of the subject property. Should the adjacent property be incorporated and developed as part of the PUD, the vinyl fence may be removed upon approval of the PUD Amendment, and the western boundary buffer requirements shall be re-evaluated based on the uses and development approved for the adjacent parcel. In the event the development plan of the adjacent parcel to the west is not approved within the required timeframe or the adjacent parcel (PID 48476-000-00) is sold or conveyed to different owner(s), the following buffer shall be installed and maintained within five years from the approval date of this PUD Master Plan or within ninety days of the ownership change:

Modified Type D buffer shall be provided, consisting of a minimum three foot-high berm with a maximum slope ratio of 3:1. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer. A six-foot-high opaque fence shall be required, or the vegetative shall be designed and maintained to provide a continuous opaque vegetative buffer at the time of installation and shall achieve a minimum height of six feet within two years of installation. A landscape plan identifying all critical root zones shall be submitted to the Marion County Landscape for review and approval during Major Site Plan.

C. Southern and Eastern Boundary:

The Owner shall submit an affidavit, in a form acceptable to the Marion County Growth Services and signed by the adjacent property owner(s), acknowledging and accepting the proposed modified buffer and buffer deferral, within thirty days of the approval date of this PUD Master Plan. In the event the adjacent property is sold or conveyed to different owner(s), the subject property Owner shall submit the required affidavit signed by the new adjacent property owner(s) within sixty days of the

- ownership change in order to maintain the approved buffer deferral. Failure to submit the affidavit within the required timeframe shall result in the requirement to install and maintain the buffer same as Northern boundary requirement within ninety days of the ownership change.
- ~~Modified Type D Buffer, with minimum 15-foot width. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer.~~
- ~~5. **[Modified & Combined with #4]** For the western, southern, and northern buffer only: The buffers may defer planting if a letter from the adjoining property owner is provided to Marion County Growth Services. Any such deferral of planting buffers shall be date certain, not to exceed six months from the date of BCC approval.~~
5. All project development shall be served by Marion County Utilities central potable water and central sanitary sewer services. Utility easements of adequate size to serve current and future development phases shall be dedicated to Marion County Utilities prior to or concurrent with Major Site Plan approval.
6. Lighting shall be limited to full cutoff fixtures as defined by IESNA, scaled and located to minimize glare and light diffusion to adjoining properties. All exterior lighting shall comply with LDC Section 6.19.
7. All on-site speakers and public address systems shall be designed and installed to direct and maintain announcements, music, and general noise into the property, and no such system audio broadcast/speaker components shall be installed or mounted greater than 25 feet above ground level. The facility and all uses thereon (including pickleball courts and the outside bar) shall comply with the Marion County Noise and Vibration Control Ordinance and the noise standards applicable to the surrounding agricultural lands under the “plainly audible” standard.
8. **[Modified]** Access to the property shall be limited to S. US 301 via a paved driveway apron, including obtaining approval and permitting by the Florida Department of Transportation. Additional access may be provided to SE 177th Place subject to compliance with Marion County Land Development Regulations (e.g., access management requirements, emergency access only, driveway permit requirements, etc.) All construction traffic shall use the primary entrance from S. US 301.
9. **[New condition]** Where Drainage Retention Areas (DRAs) are located partially or wholly on parcels other than the project parcels (48476-001-00 and 48476-002-00), recorded drainage easements shall be established across both the subject property and the adjacent parcel(s) prior to approval of any Major Site Plan involving those DRAs. The easements shall run with the land and shall be in a form acceptable to the Marion County Stormwater section.
- ~~10. **[Deleted]** Prior to issuance of any development order or building permit for any new construction authorized under this PUD amendment, a comprehensive Traffic Impact Analysis (TIA) reflecting current traffic~~

~~conditions and full PUD build-out shall be submitted and approved by the County Engineer. The TIA shall include all uses proposed in the Master Plan at build-out. The 2014 traffic study shall not be used as the sole basis for concurrency evaluation for any development activity beyond that already permitted.~~

- ~~11. **[Deleted]** Special Use Permit No. 20101205SU, Resolution No. 2010-R-637 (and original Special Use Permit No. 20100405SU, Resolution No. 2010-R-243) remain functionally repealed by the approval of the authorized uses contained within PUD Case No. 20191106Z.~~

V. PLANNING & ZONING RECOMMENDATION

Approval with Conditions, with staff-recommended conditions (3-0)

VI. LIST OF ATTACHMENTS

- A. Application Package No. PL PUD-000392-2026 (February 2026)
- B. Proposed PUD Master Plan Set (April 17, 2026)
- C. Approved PUD Conditions and concept plan (Resolution No. 20191106Z)
- D. Proposed Amended Conditions with Applicant Responses (April 17, 2026)
- E. DRC Comment and Applicant's Response Letter (March 16 / April 6, 2026)
- F. Traffic Statement, prepared by Kittelson & Associates (January 28, 2026)
- G. Traffic Impact Study, prepared by ESRP Corporation (July 2014)
- H. Site Photos (April 09, 2026)