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5 **ORDINANCE NO. 1-14**
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7 **AN ORDINANCE OF THE TOWN COUNCIL OF THE**
8 **TOWN OF JUPITER, FLORIDA, AMENDING**
9 **ORDINANCES 54-00, 18-02, 21-03, 02-09 AND 36-13 –**
10 **PERTAINING TO THE RITZ CARLTON GOLF CLUB**
11 **PLANNED UNIT DEVELOPMENT; APPROVING WAIVERS**
12 **TO AUTHORIZE AN INCREASE OF THE SIZE OF AN**
13 **AMERICAN FLAG TO BE DISPLAYED FROM 60 SQUARE**
14 **FEET TO 600 SQUARE FEET AND TO INCREASE THE**
15 **HEIGHT OF THE FLAG POLE UPON WHICH THIS FLAG**
16 **IS TO BE FLOWN FROM 35 FEET TO 80 FEET;**
17 **PROVIDING FOR THE AMENDMENT TO CONDITIONS**
18 **16(A) AND 17 IN ORDINANCES 54-00 AND 21-03**
19 **RELATED TO THE MONUMENT SIGN ON DONALD ROSS**
20 **ROAD AND ALTERNATE A1A; PROVIDING FOR**
21 **SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE**
22 **DATE.**
23
24

25 **WHEREAS**, pursuant to Ordinance No. 54-00, the Town Council approved
26 a 284.4± Planned Unit Development known as the Ritz Carlton Golf Club PUD;
27 and

28 **WHEREAS**, the legal description of the Ritz Carlton Golf Club PUD is as
29 set forth in **Exhibit “A”** which is attached hereto and incorporated herein; and

30 **WHEREAS**, Jupiter Golf Club, LLC. is the owner (the Owner) of a portion
31 of the Ritz Carlton Golf Club PUD known as Trump National Golf Club consisting
32 of 211.7± acres (the subject property); and

33 **WHEREAS**, the legal description of the Subject Property is set forth in
34 **Exhibit “B”** which is attached hereto and incorporated herein; and

35 **WHEREAS**, the general location of the subject property is north of Donald
36 Ross Road, south of Fredrick Small road, and east of Alternate A-1-A; and

1 **WHEREAS**, the Town Council has previously approved Ordinances
2 18-02, 21-03, 02-09 and 36-13 which amended the PUD; and,

3 **WHEREAS**, Cotleur & Hearing as the authorized agent (the Applicant) for
4 the Owner has submitted an application to again amend the PUD; and

5 **WHEREAS**, as part of this amendment, the Owner is requesting waivers
6 to the size of a flag to be flown on a flag pole and to the height of the flag pole
7 and to reduce the setback for a monument sign on Donald Ross Road; and

8 **WHEREAS**, the Owner's proposes to amend Condition 16(a) pertaining to
9 the PUD for the monument sign on Donald Ross Road to allow the sign to be
10 relocated such that it is parallel to the Donald Ross Road right-of-way. In
11 addition, the Owner's proposes to amend Condition 17 pertaining to the PUD for
12 the monument sign on Alternate A1A to increase the sign's display area (the
13 Application); and

14 **WHEREAS**, the Town's Planning and Zoning Commission has considered
15 the Application and has made its recommendation to the Town Council; and

16 **WHEREAS**, the Town Council has conducted a public hearing wherein it
17 considered the evidence and testimony presented by the Town staff, the
18 Applicant, the Owner, and other interested parties and members of the public,
19 regarding whether the Application is consistent with the Town's Comprehensive
20 Plan and meets the Town's Land Development Regulations; and

21 **WHEREAS**, at its hearing, the Town Council determined that certain
22 conditions, as set forth herein, are necessary for the Application to be consistent

1 with the Town's Comprehensive Plan and to meet the Town's Land Development
2 Regulations, including those contained in Section 27-96 of the Town Code,

3 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF**
4 **THE TOWN OF JUPITER, FLORIDA, THAT:**

5 **Section 1.** The whereas clauses are incorporated herein as the findings
6 of fact and conclusions of law of the Town Council.

7 **Section 2.** The Town Council hereby approves an amendment of the Ritz
8 Carlton Golf Club PUD subject to the conditions set forth below:

- 9 1) The Owner shall install and maintain all improvements consistent with the
10 plans and the Statement of Use listed below:
- 11 a. Master PUD site plan, sheet 2 of 5, dated 09/11/00, revised on
12 11/08/09, prepared by Lucido and Associates, received and dated
13 by the Department of Planning and Zoning on 07/08/14.
- 14 b. Clubhouse site plan and details, sheets 1 of 2 and 2 of 2, dated
15 07/05/13, revised on 04/11/14, prepared by Cotleur and Hearing,
16 received and dated by the Department of Planning and Zoning on
17 07/07/14.
- 18 c. Trump National Golf Club Entrance Sign elevation, dated 06/12/14,
19 prepared by Florida Architectural Precast, received and dated by
20 the Department of Planning and Zoning on 07/07/14.

- 1 d. Trump National Golf Club Site and Landscape Plan, prepared by
2 Cotleur and Hearing, received and dated by the Department of
3 Planning and Zoning on 07/07/14.
- 4 e. Statement of use, dated 11/12/13, prepared by Cotleur and
5 Hearing, received and dated by the Department of Planning and
6 Zoning on 06/20/14.
- 7 2) The uses conducted on the subject property shall be consistent with the
8 representations in the Statement of Use prepared by Cotleur and Hearing,
9 Inc., received and dated by the Department of Planning and Zoning on
10 06/20/14.
- 11 3) Any revisions to the site plan, landscape plan, elevations, signs,
12 Statement of Use or other details submitted as part of the Application,
13 including but not limited to the location of the proposed improvements or
14 additional, revised or deleted colors, materials, or structures, or changes
15 to how the business operates, shall be submitted to the Department of
16 Planning and Zoning (hereinafter the Department) and shall be subject to
17 it's review and approval.
- 18 4) Any condition associated with the submission of the final plans shall be
19 subject to the Department's review and approval.
- 20 5) The conditions of approval herein shall apply to the Owner, Applicant and
21 their successors and assigns.

- 1 6) **Amendment to Ordinance No's. 54-00 and 21-03; (Cond. 16(a):** The
2 following identification signs are permitted:
- 3 a. One (1) freestanding monument sign, located adjacent
4 ~~perpendicular~~ to Donald Ross Road with a maximum of 75.0
5 square feet of sign face and a height of 5 7.5 feet.
- 6 b. One (1) freestanding monument sign, located to the south of the
7 main entry guard house with a maximum of 35.0 square feet of sign
8 face and a height of 6.5 feet.
- 9 7) **Amendment to Ordinance No's. 54-00 and 21-03; Resolution No. 100-**
10 **00 (Cond. 17):** One (1) freestanding monument sign, located at the
11 employee/ maintenance facility entrance adjacent to Alternate A1A with
12 a maximum of 100 6.0 square feet of sign area and a maximum height of
13 5.0 feet is permitted identifying the employee/ service entrance.
- 14 8) **PUD Waivers.** The Town Council hereby approves the following waivers:
- 15 a. A waiver to the town's land development regulations to increase the
16 height of the flag pole from 35' to 80'. The flag pole is limited to the
17 display of one flag of the United States of America. The flag shall
18 be flown in accordance with proper protocol, including, if flown after
19 dusk or before dawn it shall be properly lit;
- 20 b. An increase in the flag square footage from 60 sf to 600 sf, but
21 solely for display of one flag of the United States of America which
22 is properly lit if flown after dusk or before dawn.

1 9) The flag shall not be visible at any time (whether illuminated or not) from
2 outside the boundaries of the Ritz Carlton Golf Club PUD.

3 10) The subject property shall remain subject to all conditions of approval
4 contained in Ordinance No's. 54-00, 18-02, 21-03, 02-09 and 36-13 to the
5 extent not modified herein.

6 **Section 3.** Should any section or provision of this Ordinance, or any
7 portion thereof, and paragraph, sentence, or word, ever be declared by a court of
8 competent jurisdiction to be invalid, such decision shall not affect the validity of
9 the remaining portion of this Ordinance.

10 **Section 4.** All Ordinances or parts of Ordinances in conflict herewith are
11 hereby repealed to the extent of such conflict.

12 **Section 5.** This Ordinance shall take effect immediately upon its
13 adoption.

14 **Attachment:**

15 Exhibit "A" - Legal Description, Ritz Carlton Golf Club PUD

16
17 Exhibit "B" – Legal description, Trump National Golf Club

PARCEL 1

EXHIBIT A

RITZ-CARLTON GOLF CLUB PUD

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF SAID SECTION 19, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

LESS THEREFROM ANY PORTION OF SAID LANDS LYING WEST OF THE EAST RIGHT OF WAY LINE OF STATE ROAD 811 AS DESCRIBED IN OFFICIAL RECORDS BOOK 4421, PAGE 1591 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS THE RIGHT OF WAY OF DONALD ROSS ROAD OVER THE SOUTH 80 FEET OF SAID SECTION 19.

ALSO LESS THE RIGHT OF WAY OF FREDERICK SMALL ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4594, PAGE 1448 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO LESS THAT PORTION THEREOF LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 19; PROCEED NORTH 01°03'11" EAST A DISTANCE OF 80.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF DONALD ROSS ROAD LYING 80.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 19; THENCE NORTH 88°58'49" WEST, A DISTANCE OF 33.51 FEET TO THE SOUTHWEST CORNER OF BEAR'S CLUB, A P.U.D., AS RECORDED IN PLAT BOOK 86, PAGES 122 THROUGH 128, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID CORNER ALSO BEING THE POINT OF BEGINNING OF SAID LINE; THENCE ALONG THE WESTERLY BOUNDARY OF SAID BEAR'S CLUB, A P.U.D. NORTH 02°17'19" EAST, A DISTANCE OF 197.43 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 493.50 FEET; THENCE CONTINUE ALONG SAID WESTERLY BOUNDARY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 48°38'42", AN ARC DISTANCE OF 418.70 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 306.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72°54'40", AN ARC DISTANCE OF 390.03 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 443.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53°15'43", AN ARC DISTANCE OF 412.28 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 488.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°15'04", AN ARC DISTANCE OF 254.45 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 131.67 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 318.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 76°03'44", AN ARC DISTANCE OF 420.17 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 393.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 88°11'50", AN ARC DISTANCE OF 591.99 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 168.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE

OF 45°28'34", AN ARC DISTANCE OF 132.06 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 393.50 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°35'23", AN ARC DISTANCE OF 340.58 FEET TO A NON-TANGENT LINE; THENCE DEPARTING SAID WESTERLY BOUNDARY NORTH 75°54'34" WEST, A DISTANCE OF 22.80 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 409.50 FEET AND A CHORD BEARING OF NORTH 38°33'52" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°02'12", AN ARC DISTANCE OF 329.03 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 1083.50 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°42'00", AN ARC DISTANCE OF 184.52 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 284.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°26'43", AN ARC DISTANCE OF 128.70 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 100.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 84°07'53", AN ARC DISTANCE OF 148.84 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 175.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°25'24", AN ARC DISTANCE OF 95.98 FEET TO THE POINT OF TANGENCY; THENCE NORTH 09°32'14" EAST, A DISTANCE OF 153.85 FEET; THENCE NORTH 30°49'07" EAST, A DISTANCE OF 577.78 FEET; THENCE NORTH 40°32'47" EAST, A DISTANCE OF 787.45 FEET; THENCE NORTH 62°11'07" WEST, A DISTANCE OF 52.05 FEET; THENCE NORTH 61°33'21" WEST, A DISTANCE OF 64.10 FEET; THENCE NORTH 28°46'58" WEST, A DISTANCE OF 21.38 FEET; THENCE NORTH 08°10'28" WEST, A DISTANCE OF 80.05 FEET; THENCE NORTH 22°08'13" EAST, A DISTANCE OF 99.56 FEET; THENCE NORTH 31°54'30" EAST, A DISTANCE OF 34.72 FEET; THENCE NORTH 35°15'27" EAST, A DISTANCE OF 54.11 FEET; THENCE NORTH 81°14'48" EAST, A DISTANCE OF 47.02 FEET; THENCE NORTH 01°00'42" EAST, A DISTANCE OF 117.46 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF FREDERICK SMALL ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 4594, PAGE 1448, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID POINT BEING THE POINT OF TERMINUS OF SAID LINE AND BEING A DISTANCE OF 807.47 FEET WEST FROM THE NORTHWEST CORNER OF SAID BEAR'S CLUB, A P.U.D., AS MEASURED ALONG SAID SOUTHERLY RIGHT OF WAY LINE.

CONTAINING 284.3578 ACRES MORE OR LESS.

RITZ-CARLTON GOLF CLUB PUD
LEGAL DESCRIPTION

(Page 2 of 2)

PARCEL 1:

TRACT "F", TRACT "G", TRACT "G-1", TRACT "G-2", TRACT I, TRACTS "P-1" THROUGH "P-10", INCLUSIVE, AND TRACTS "W-1" THROUGH "W-7", INCLUSIVE, OF RITZ-CARLTON GOLF CLUB & SPA REPLAT, JUPITER, A P.U.D., A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 106, PAGE 97, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION OF TRACT "G-2" OF SAID PLAT, LEGALLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACT "G-2", NOW COMPRISING THE SOUTHWESTERLY PORTION OF LOT 1 OF RITZ-CARLTON GOLF CLUB & SPA REPLAT NO. 2, JUPITER, A P.U.D., RECORDED IN PLAT BOOK 113, PAGE 149, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 8, AS SHOWN ON THE PLAT OF EAGLE TREE VILLAS P.U.D., RECORDED IN PLAT BOOK 114, PAGES 10 THROUGH 15, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA (FORMERLY BEING THE NORTHWEST CORNER OF TRACT "A" OF RITZ-CARLTON GOLF CLUB & SPA, JUPITER, A P.U.D., RECORDED IN PLAT BOOK 93, PAGES 171 THROUGH 192, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA); THENCE ALONG THE NORTH LINE OF SAID LOT 8, SOUTH 89°25'44" EAST, A DISTANCE OF 28.80 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING, SAID POINT BEING A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 75.00 FEET, A RADIAL BEARING OF SOUTH 66°49'57" WEST AND A CENTRAL ANGLE OF 29°32'31"; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT 1 AND THE ARC OF SAID CURVE, A DISTANCE OF 38.67 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 43°05'40"; THENCE CONTINUE ALONG THE WEST LINE OF SAID LOT 1, NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 18.80 FEET TO A POINT OF CUSP, SAID POINT BEING THE SOUTHWEST CORNER OF FORMER TRACT "J" AS SHOWN ON THE PLAT OF RITZ-CARLTON GOLF CLUB & SPA REPLAT, JUPITER, A P.U.D., RECORDED IN PLAT BOOK 106, PAGES 97 THROUGH 119, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE, ON A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 265.00 FEET, A RADIAL BEARING OF NORTH 34°39'48" EAST AND A CENTRAL ANGLE OF 34°05'32"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND THE SOUTH LINE OF SAID FORMER TRACT "J", A DISTANCE OF 157.68 FEET TO A POINT OF CUSP AND A POINT ON THE NORTH LINE OF SAID LOT 8; THENCE ALONG THE NORTH LINE OF SAID LOT 8, SOUTH 89°25'44" EAST, A DISTANCE OF 115.07 FEET TO THE POINT OF BEGINNING.

PARCEL 1A:

TRACTS "G-3", "W-8A", "W-8B", "W-9" AND "W-10" OF RITZ-CARLTON GOLF CLUB & SPA REPLAT NO. 3, JUPITER, A P.U.D., RECORDED IN PLAT BOOK 115, PAGE 177.

Upon First Reading this 15th day of December, 2014, the foregoing Ordinance was offered by Councilor Todd Wodraska, who moved its adoption. The motion was seconded by Councilor Wendy Harrison, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	Absent	
VICE-MAYOR ILAN KAUFER	X	
COUNCILOR WENDY HARRISON	X	
COUNCILOR JIM KURETSKI	Absent	
COUNCILOR TODD R. WODRASKA	X	

Upon Second Reading this 20th day of January, 2015, the foregoing Ordinance was offered by Councilor Todd Wodraska, who moved its adoption. The motion was seconded by Vice-Mayor Ilan Kaufer, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	
VICE-MAYOR ILAN KAUFER	X	
COUNCILOR WENDY HARRISON	Absent	
COUNCILOR JIM KURETSKI	X	
COUNCILOR TODD R. WODRASKA	X	

The Mayor thereupon declared Ordinance 1-14 duly passed and adopted this 20th day of January, 2015.

ATTEST:

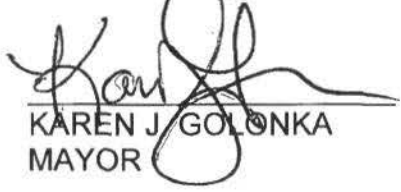

SALLY M. BOYLAN, MMC
TOWN CLERK


(TOWN SEAL)



TOWN OF JUPITER, FLORIDA

BY:


KAREN J. GOLONKA
MAYOR


THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency