



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PLANNING AND ZONING BOARD STAFF REPORT

Abandonment of Public Access to Certain Old Palm Grove Open Space Tracts

Meeting	File No.	Application Type
August 25, 2025	2023-168-ABE-CCA	Abandonment of Public Access
Property Owner and Applicant		Authorized Agent
Old Palm Grove Homeowners Association		Andrea Keiser, Esq., Keiser Legal

Request

Provide a recommendation to the City Commission on Resolution No. 01-25, abandoning the right of public access to Open Space Tracts OS 3, OS 4, OS 5, OS 10, OS 12, and OS 13; Old Palm Lane; Eastview Avenue, east of Old Palm Lane; and parts of Estuary Way (excluding the segment recorded in Plat Book 93, Page 129-130), as recorded in the plat of Old Palm Grove in Plat Book 99, Pages 63-67 of the Official Records of Palm Beach County.

Background Information

NOTE: The Applicant was scheduled for hearing on the October 21, 2024, Planning and Zoning Board meeting agenda, and withdrew from consideration to amend the legal description of the areas of public access to be abandoned. The item was continued to November 18, 2024, and the applicant withdrew from the agenda again.

Old Palm Grove was developed by New Urban / RFC Developers, LLC, who assembled eight parcels for a new residential development east of North Federal Highway, with approval provided through a series of actions (detailed below).

Old Palm Grove is within the North Federal Highway Redevelopment area. The City Commission adopted the Redevelopment Plan on March 16, 1999. The redevelopment plan, which is still in effect, implemented the following principles:

- Reconstruction of North Federal Highway utilizing traditional neighborhood principles to facilitate pedestrian movement and neighborhood connections
- Completion of the road network
- Proper connection of the existing neighborhood to future redevelopment areas
- Creation of new public places

The 1999 Plan also encouraged the creation of a neighborhood park in the area and suggested the abandonment of the alleys in the area, pending the outcome of the city-wide alley study, then underway.



Project Planner:
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Attachments:

- City Engineer's Recommendation
- Survey
- Plat
- Police Crime Data Report
- Resolution No. 01-25
- Applicant Photos

PAGE | 1

The Old Palm Grove development received the following approvals from the City Commission and Planning and Zoning Board:

March 5, 2002.

- A Land Use Map amendment to Medium Density Residential / 5-12 dwelling units per acre (MD) from General Commercial (GC) for a 0.763-acre parcel part of the assemblage.
- The entire proposed site was rezoned Planned Residential Development (PRD) from General Commercial (GC) [0.76 acres], Multiple Family – Medium Density (RM) [1.82 acres], and Multiple Family – Low Density (RL) [2.04 acres]. A waiver to the Land Development Regulations was approved, to allow the PRD development of 4.62 acres rather than the required minimum site area of 5 acres.

May 20, 2002.

- New Urban/RFC Developers, LLC, received approval of a Master Development Plan (MDP) for Old Palm Grove from the Planning and Zoning Board. The MDP was approved with multiple waivers to construct 11 townhomes, 30 single-family zero-lot line homes, three conventional single-family homes and a proposed pocket park in Lot 18 of the La Hacienda subdivision southeast of the development (which was later supplemented by the City with the addition of the 55 northern feet of Lot 19, La Hacienda plat).

July 16, 2002.

- The City Commission approved Res. No. 55-02, vacating, and abandoning a 533-foot segment of Royal Palm Boulevard (terminating at Federal Highway to the west and The Estuary on the east), while reserving to the City a utility easement and an ingress/egress easement for public access over the entire area that was abandoned. The Estuary Development has the right of ingress and egress through Old Palm Grove. The abandoned portion of Royal Palm Boulevard was incorporated into the Old Palm Grove plat and is currently named Estuary Way.

April 15, 2003.

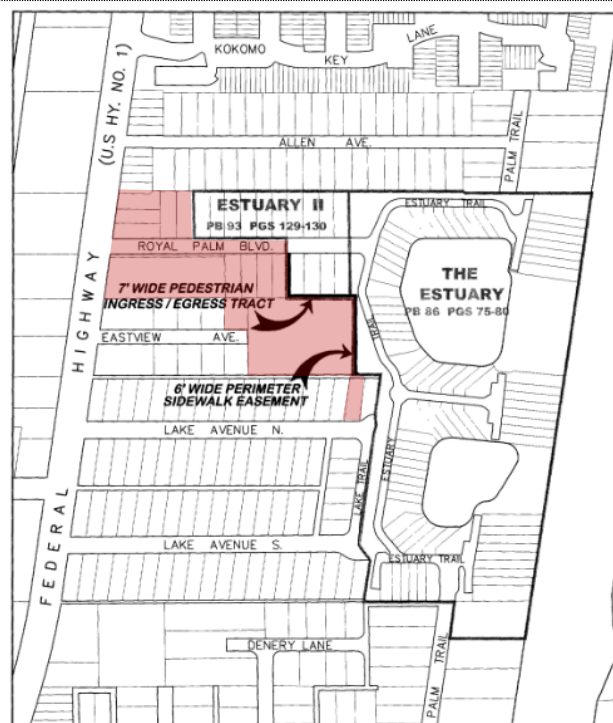
- The Old Palm Grove plat was approved, along with multiple abandonments related to the Old Palm Grove development (see table below). The plat language reflects the intent of Res. No. 55-02: “the access tract is dedicated, owned and maintained by the Homeowners association with the right of the public to utilize for vehicular and pedestrian ingress/egress.” The Planning and Zoning Board staff report for the plat stated that the plat accommodated a portion of a perimeter sidewalk / bicycle path along the western property limits of the Estuary development:

Within the Estuary and Estuary II, a 6' wide bike path was proposed to be constructed along the southern and western limits of these two developments. A portion of this bike path, located between Royal Palm Boulevard and the northern limits of La-Hacienda subdivision will be abandoned and an alternate route incorporated as part of Old Palm Grove development. The bike path will be re-routed to run through a portion of this development and exit onto Eastview Avenue instead of Royal Palm Boulevard as previously intended.

It is important to note, these actions implemented the North Federal Highway Redevelopment Plan, which utilizes traditional neighborhood principles to facilitate pedestrian movement and neighborhood connections. The approved road network and the re-routed pedestrian/bicycle path are consistent with the Area Plan. A connection to the path leads to La Hacienda Gardens Park on Lake Avenue North, connecting to Old Palm Trail further south.

The table below and image to the right (with Old Palm Grove shown in red) summarize the abandonments and dedications adopted concurrently with the Plat of Old Palm Grove:

Description of Action Taken	
Res. No. 23-03	Abandonment of a GUE on Royal Palm Boulevard that was established via Res. No. 55-02; Commission did not abandon the right of public access as part of Res. No. 55-02.
Res. No. 24-03	Abandonment of 7-foot-wide pedestrian ingress-egress tract on the south side of the abandoned Royal Palm Boulevard, taken from Estuary 2 Tract B PB 93 PG 129-130 (2,370 Square Feet). The expressed intent was to reroute a bike path from Estuary and Estuary 2, to run through Old Palm Grove and exit through Eastview Avenue and connect to La Hacienda Gardens Park.
Res. No. 25-03	Abandonment of a 6-foot wide (sidewalk/bike path) easement taken from Estuary, Tract P-2 PB 86 PG 75-60. The expressed intent was to reroute a bike path from Estuary and Estuary 2, to run through Old Palm Grove and exit through Eastview Avenue and connect to La Hacienda Gardens Park.



- Abandonments of platted alleys. As part of the plat, the developer requested a portion of a platted alley, 8 feet in width and 50 feet in length, containing 400 square feet (0.009 acre) be abandoned and incorporated into Old Palm Grove. The portion of alleyway to the south was dedicated with the recordation of La-Hacienda Subdivision in October of 1926 and represents the 8-foot east / west alley north of Lot 18 of La-Hacienda Subdivision.

As part of phase one of the Citywide Abandonment Project in fall of 2000, the entire 8' wide east/west alley running along the north side of La-Hacienda Subdivision was considered for abandonment. The portion of alleyway north of Lots 1-4 were excluded because it was being utilized by the adjacent commercial properties. In addition, the alley portion abutting Lots 18 and 19 was not included since it was intended to be improved as a bike path in conjunction with the Estuary townhouse development. The balance of the alley west of the subject area (Lots 5 through 17) was abandoned as part of the Citywide Abandonment Project-Phase One in November of 2000. The alley behind Lots 11 to 17 were added to Old Palm Grove, and the alley behind Lot 18 was reserved for the pedestrian/bicycle path to connect to La Hacienda Gardens Park through Old Palm Grove.

These purposeful actions to preserve public access in Old Palm Grove are depicted on the image at right.

It is also important to note that although the alleys were allowed to be



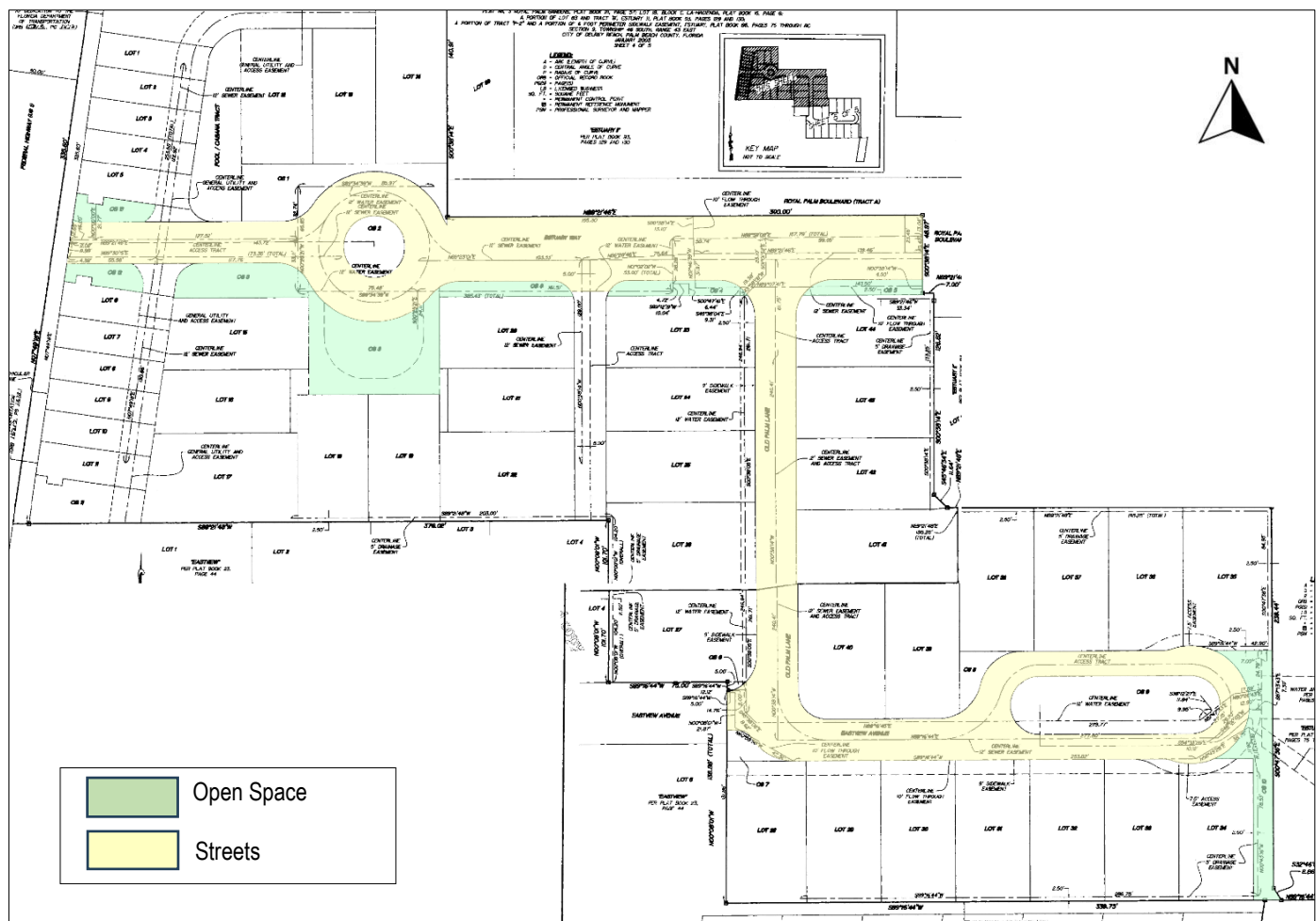
abandoned in the early 2000's, the Always Delray Comprehensive Plan, adopted by Ordinance No. 19-19, now stresses the preservation of alleys. By including the bicycle / pedestrian amenity in the plat, the City recognized the importance of other mechanisms to support pedestrian and bicycle connections.

May 27, 2020.

- A Class II Site Plan modification application (2020-182) was submitted by Old Palm Grove for the installation of two security gates located at Estuary Way and Eastview Avenue that open automatically as vehicles approach. On May 27, 2020, the City Commission approved Res. No. 164-20, granting a waiver to the required stacking distance for the gate on Eastview Avenue. At the hearing, the issue of public access was discussed, and the gates were characterized as “traffic calming” and required to open upon vehicle approach.

Description of Proposal

Areas of Proposed Abandonment of Right of Public Access



The Applicant is requesting to abandon the right of public access from Open Space Tracts OS 3, OS 4, OS 5, OS 10, OS 12, and OS 13, Old Palm Lane; Eastview Avenue, east of Old Palm Lane; and parts of Estuary Way (excluding the segment recorded in Plat Book 93, Page 129-130), as recorded in the plat of Old Palm Grove in Plat Book 99, Page 63-67 of the Official Records of Palm Beach County. The areas identified for abandonment of public access are shown on the image above. Estuary will retain their non-exclusive ingress, egress, and access throughout Old Palm Grove, through an agreement recorded in Book 14830, Page 1637 of the Official Records of Palm Beach County; all others desiring to traverse through Old Palm Grove will be excluded if the abandonment is approved.

The application justification statement is attached.

Review and Analysis

LDR Section 3.1.1 – Required Findings

Prior to the approval of development applications, certain findings must be made in a form which is a part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

These findings relate to (A) the Land Use Map, (B) Concurrency, (C) Consistency with the Comprehensive Plan, and (D) Compliance with the LDR. **(C)** and **(D)** are applicable, and are discussed below.

(C) Consistency. *A finding of overall consistency may be made even though the action will be in conflict with some individual performance standards contained within Article 3.2, provided that the approving body specifically finds that the beneficial aspects of the proposed project (hence compliance with some standards) outweighs the negative impacts of identified points of conflict.*

The following Comprehensive Plan policies are applicable to the request:

Neighborhoods, Districts, and Corridors Element

Policy NDC 2.2.1 *Maintain and enhance the tightly gridded, interconnected street network that facilitates the dispersal of traffic and contributes to the character of Delray Beach using the following Complete Streets techniques, where appropriate:*

-  *Design streets to be safe, comfortable, and attractive for pedestrians, cyclists, and drivers.*
-  *Do not close or abandon streets or alleys and encourage connectivity of vehicular, pedestrian and bicycle routes.*
-  *Provide links to regional bicycle/pedestrian networks.*
-  *Reinvest in roadway infrastructure, such as intersections, signalization, and turning movements without increasing the number of through vehicular lanes.*

Policy NDC 2.7.9 *Review and update the North Federal Highway Redevelopment Plan to include new development and other improvements that have occurred since the Plan's adoption in 1999, and re-evaluate the vision for the North Federal Highway Redevelopment Area; new development shall comply with the provisions of the adopted Plan until an updated plan is adopted.*

The adopted North Federal Highway Redevelopment Plan emphasizes the following principles:

- Reconstruction of North Federal Highway utilizing traditional neighborhood principles to facilitate pedestrian movement and neighborhood connections;
- Completion of the road network;
- Proper connection of the existing neighborhood to future redevelopment areas; and
- Creation of new public places.

The North Federal Highway Redevelopment Plan is still in effect, and the Old Palm Grove plat was developed with the principles of the plan. More generally, the Comprehensive Plan both requires and supports bicycle pedestrian infrastructure in all sectors of the city, not just the North Federal Highway area.

Open Space Parks and Recreation Element

Policy OPR 1.4.1 *Continue to require the provision of sufficient open space in public and private development projects through the Land Development Regulations.*

Policy OPR 1.4.5 *Maximize public accessibility to open space, parks, and recreational facilities provided by requiring them to be strategically planned and located within new development.*

Policy OPR 2.2.5 *Plan interconnected greenway corridors (trails) that link native ecosystems, parks, golf courses, canals, and natural areas throughout Delray Beach.*

Policy OPR 3.4.5 *Evaluate the role of the alleyway systems and their potential as a part of bike trails, recreation and open space, and sustainable systems.*

The Old Palm Grove Plat gives the right of public access to Estuary Way, Old Palm Lane, and the portion of Eastview Avenue east of Old Palm Lane. Additionally, the Old Palm Grove Plat has several dedicated Open Space tracts, with the right of public access given to Tracts OS 3, OS 4, OS 5, OS 10, OS 12, and OS 13. Tract P-1 was dedicated to the City of Delray Beach for park and public recreation purposes. Tract P-1 is now La Hacienda Gardens Park, which is open to the public and directly accessible from Old Palm Grove and via North Federal Highway and North Lake Avenue. These various tracts collectively provide for east-west public pedestrian ingress and egress from North Federal Highway along the south side of Estuary Way to the gate of the Estuary community, while Open space tract OS 10 (southeast corner) provides for north-south public pedestrian ingress and egress to La Hacienda Gardens Park along the eastern property line of Old Palm Grove, terminating at the north entrance of La Hacienda Gardens Park.

Mobility Element

Policy MBL 1.1.4 *Address mobility principles and transportation issues, such as but not limited to the following, within the Mobility Plan:*

- ✦ *Pedestrian and Bicycle Master Plans (see also MBL 2.1.1 and MBL 2.2.1)*
- ✦ *Transit opportunities through commuter rail service providers*
- ✦ *City of Delray Beach Complete Streets Policy and guide to context-sensitive and appropriate implementation*
- ✦ *Interconnected street network*
- ✦ *Access management*
- ✦ *Freight mobility*
- ✦ *Transportation Demand Management*
- ✦ *Historic neighborhood character considerations*
- ✦ *Parking*
- ✦ *Equity*

Policy MBL 1.4.3 *Engage residents and property owners and collaborate with the City's Strategic Partners, including local bike-pedestrian advocacy groups, neighborhood associations, civic associations, and other local stakeholders to create a Pedestrian Master Plan and a Bicycle Master Plan that identify existing bicycle routes, bicycle facilities, and pedestrian paths, and establish a network of interconnected paths and trails that are appropriate in the specific context and link residential neighborhoods with parks, open spaces, schools, recreation opportunities, and key destinations; the Plans shall identify physical constraints to complete bicycle and pedestrian networks, such as insufficient bike lane widths, insufficient sidewalk widths, gaps in the networks, and the need for new facilities, such as new crosswalks, sharrows, etc.*

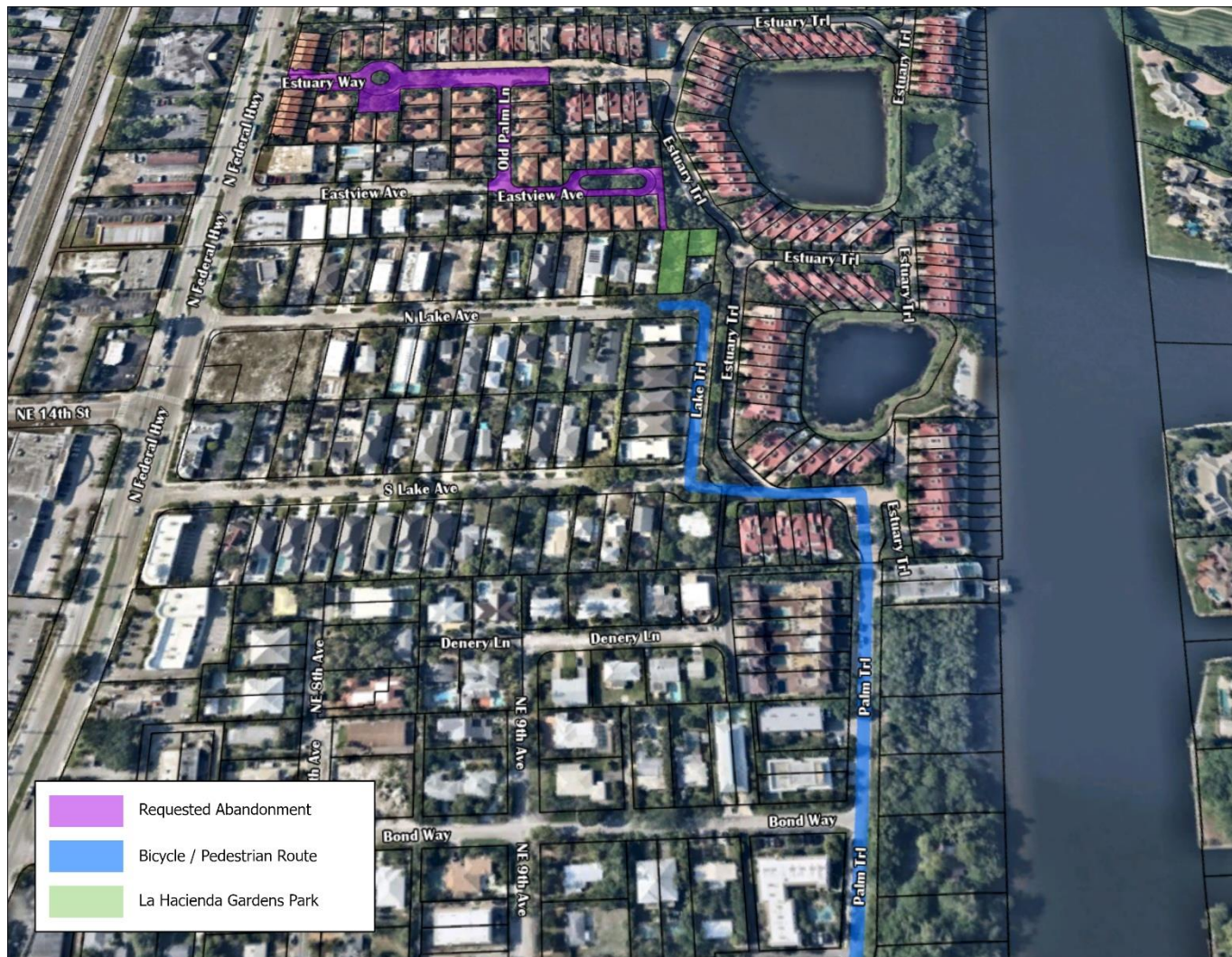
GOAL MBL 2 MOBILITY INFRASTRUCTURE *ACCOMMODATE THE EXISTING AND FUTURE MOBILITY AND ACCESSIBILITY NEEDS OF ALL USERS BY PROVIDING A SUPERIOR MULTIMODAL SYSTEM.*

Policy MBL 2.7.7 *Do not grant abandonment of right-of-way unless conclusively demonstrated that there is not, nor will there be, a need for the use of the right-of-way for any public purpose.*

Policy MBL 3.1.4 *Future development shall provide right-of-way for the trail network described in Policies MBL-2.2.2, MBL-2.2.3 and MBL 2.2.4. Pedestrian and bicycle connections to the trail network shall be provided.*

The Comprehensive Plan explicitly supports the creation and preservation of bicycle and pedestrian networks in all areas of the city; the Old Palm Grove plat intentionally implements this connectivity. The staff report for the Old Palm Grove plat, dated April 15, 2003, explains that an alternate bike path was created as part of the Old Palm Grove plat in place of abandoned tracts from Estuary 1 and Estuary 2 developments (image above, in Background). The alternate path was designed to run through Old Palm Grove and was rerouted to exit on the east side of Eastview Avenue and south to the pocket park in La Hacienda Gardens.

The right of public access on the sidewalks in Old Palm Grove allows pedestrians and bicyclists to move from Federal Highway (a roadway with a much higher volume of traffic), southward through the neighborhoods to Palm Trail, and then on to the barrier island and beach (image below). Further, Eastview Avenue remains a public right-of-way from Federal Highway to Old Palm Grove. Disconnecting bike/ped access through Old Palm Grove to the City park and beyond would force the occupants and residents to walk or bike Federal Highway, then south to Lakeview Avenue, and then east to the park. Granting this abandonment would eliminate the continuous path available to the community.



The number of commission-approved actions (detailed above) in connection with the Plat of Old Palm Grove reflects the deliberate implementation of the approved Master Development Plan and the adopted North Federal Highway Redevelopment Plan. It demonstrates an early implementation of the qualities that helped define current Comprehensive Plan policies with respect to the Mobility and Open Space Elements. The record reflects that it was the intention of the Commission to provide public access to serve as pedestrian and bicycle trails. The open space tracts in Old Palm Grove incorporated access easements that were approved and are part of a network of walking and bicycle trails that connect south to Old Palm Trail. While this is not the only route for bicyclists and pedestrians, it is an important route. The Board should consider whether the abandonment of those public access spaces is consistent with the Comprehensive Plan policies, and whether it is consistent with the Comprehensive Plan to remove any route from public use.

The Data, Inventory, and Analysis in the Always Delray Comprehensive Plan Open Space, Parks and Recreation Element states that disconnected streets and a lack of sidewalks and pedestrian crossings present difficulties for pedestrians, deterring individuals from walking to parks. The Board should consider whether there is a valid reason to create a conflict with the Comprehensive Plan by removing a route for pedestrians and cyclists to access La Hacienda Gardens Park. Additionally, the Always Delray

Comprehensive Plan Policy policies OPR 1.4.5 and Policy MBL 2.7.7 encourage the creation and preservation of greenway corridors, trails and recreational spaces.

The applicant states that because the public is allowed to access the Old Palm Grove neighborhood, the community is vulnerable to criminal activity (see attached justification statement). A copy of police crime statistics between January 1, 2020 through 2025, for Old Palm Grove and two nearby comparison communities (Kokomo Key and La Hacienda), is provided for the Board's review. The data does not support this claim (tables at right; full data attached).

Total Reported Incidents							
	2020	2021	2022	2023	2024	2025	5-Year Total
Old Palm Grove (not gated)	8	6	10	7	8	2	41
Kokomo Key (gated)	12	7	9	18	3	5	54
La Hacienda (not gated)	13	12	10	8	16	4	63

It is important to note that perception of public safety is not an abandonment finding; however, **impacts of an abandonment on the public is a finding.**

(D) Compliance with LDRs. *Whenever an item is identified elsewhere in these Land Development Regulations (LDRs), it shall specifically be addressed by the body taking final action on a land development application/request. Such items are found in Section 2.4.5 and in special regulation portions of individual zoning district regulations.*

The request is being processed as an abandonment of right-of-way.

LDR Section 2.4.9(B)(1), Abandonment of rights-of-way. General.

Public right-of-way may be abandoned (returned) to the fee description of adjacent property to the same degree in which it was originally obtained, i.e. property dedicated exclusively from a single parcel shall be returned to that parcel; property dedicated through subdivision shall be divided at the center line and returned equally to abutting parcels. Abandonment of right-of-way may be granted by a formal resolution enacted by the City Commission.

		5-Year Total	Total Incidents in Categories Identified by the Applicant
Old Palm Grove (not gated)	Burglary, Vehicle (locked)	1	14
	Burglary, Vehicle (unlocked)	5	
	Burglary, Residential	1	
	Vandalism	1	
	Miscellaneous Theft ¹	4	
	Stolen Vehicle	2	
Kokomo Key (gated)	Burglary, Vehicle (locked)	3	27
	Burglary, Vehicle (unlocked)	11	
	Burglary, Residential	2	
	Vandalism ⁴	5	
	Miscellaneous Theft ²	4	
	Stolen Vehicle	2	
La Hacienda (not gated)	Burglary, Vehicle (locked)	1	13
	Burglary, Vehicle (unlocked)	5	
	Burglary, Residential	1	
	Vandalism ⁵	1	
	Miscellaneous Theft ³	4	
	Stolen Vehicle	1	

¹ Theft from Building and Theft – Grand

² Theft – Bicycle, Theft – From Boat, Theft From Building

³ Theft from Building, Theft – Auto Parts, Theft – Other

⁴ Criminal Damage to Property (Vandalism), Criminal Mischief (\$200 and under), Criminal Mischief (Over \$200, Under \$1,000)

⁵ Criminal Mischief, \$200 and Under

The City Commission approved abandoning the General Utility Easement over a portion of Royal Palm Way (Res. No. 23-03) on the condition that it retains an ingress-egress easement for public access over the entire area described in Res. No. 55-02. Both parcels were then incorporated into the Old Palm Grove Plat to provide ingress-egress public access for pedestrians and bicyclists. Due to the potential impact on mobility and pedestrian and bicycle infrastructure, the right-of-way abandonment criteria is applied.

LDR Section 2.4.9(B)(6)

Prior to granting an abandonment, the following findings must be made:

- a) *That there is not, nor will there be, a need for the use of the right-of-way for any public purpose.*

The City Engineer does not support the applicant's request to abandon the right of public access as established through the Old Palm Grove plat. Bicyclists and pedestrians would lose the northern access to the park if the abandonment were approved.

- b) *That the abandonment does not, nor will not, prevent access to a lot of record.*

The request will not prevent access to a lot of record; the subject area is not needed for access to properties or lots. However, the abandonment will limit public access to the pedestrian and bicycle trail.

- c) *That the abandonment will not result in detriment to the provision of access and/or of utility services to adjacent properties or the general area.*

The City Utilities Department reports that the plat has a utility easement to access public and private utilities.

The abandonment of the right of public access will not result in detriment for the provision of utility services to adjacent properties or the general area. However, the request will eliminate the northern point of the access points to the park, impeding access to other public infrastructure.

The current configuration of Old Palm Grove is the result of a purposeful strategy, and significant effort, to maintain bicycle and pedestrian access in both Old Palm Grove and the surrounding neighborhoods. The success of Old Palm Grove is largely due to its traditional neighborhood design qualities: a compact neighborhood with diverse housing types arranged to provide for both an aesthetic appeal and to create a superior public realm with narrow, tree-lined streets. These same qualities, which also afford a natural oversight of the streets by the residents, are reflected in low crime statistics. By allowing for the reconfiguration of the previous rights-of-way to create Old Palm Grove, the City played a part in its implementation, requiring amenities to the public in the form of access and a park. The Board should consider if the effort and intentionality that brought about the current configuration is worth undoing to help the residents of Old Palm Grove overcome a perception about crime and safety that is not evidence-based.

Board Considerations

- Whether a non-factual, perception about safety provides adequate justification to override multiple actions taken by appointed and elected bodies to preserve the right of public access.
- Whether there is a valid reason to disregard the Always Delray Comprehensive Plan and the North Federal Highway Development Plan to restrict public access to the bicycle and pedestrian amenity in Old Palm Grove, and to remove a route for pedestrians and bicyclists to access La Hacienda Gardens Park.

Review By Others

The proposal is within the North Federal Highway Development Plan Area and falls within the Community Redevelopment Agency (CRA) area.

Pursuant to **LDR Section 2.4.9 (M)(3), Procedure**, the determination shall be recorded by a resolution of the City Commission. The request is anticipated to be considered by the City Commission in October 2025 as Resolution No. 01-25.

Options for Board Action

- A.** Recommend **approval** of Resolution No. 01-25, a privately-initiated abandonment of the right of public to the City Commission on Resolution No. 01-25, abandoning the right of public access to Open Space Tracts OS 3, OS 4, OS 5, OS 10, OS 12, and OS 13; Old Palm Lane; Eastview Avenue, east of Old Palm Lane; and parts of Estuary Way (excluding the segment recorded in Plat Book 93, Page 129-130), as recorded in the plat of Old Palm Grove in Plat Book 99, Pages 63-67 of the Official Records of Palm Beach County by finding that the Abandonment of Right-of-Way and public access easement is consistent with the adopted Always Delray Comprehensive Plan and meets the criteria set forth in the Land Development Regulations..
- B.** Recommend denial of Resolution No. 01-25, a privately-initiated abandonment of the right of public to the City Commission on Resolution No. 01-25, abandoning the right of public access to Open Space Tracts OS 3, OS 4, OS 5, OS 10, OS 12, and OS 13; Old Palm Lane; Eastview Avenue, east of Old Palm Lane; and parts of Estuary Way (excluding the segment recorded in Plat Book 93, Page 129-130), as recorded in the plat of Old Palm Grove in Plat Book 99, Pages 63-67 of the Official Records of Palm Beach County by finding that the Abandonment of Right-of-Way and public access easement is not consistent with the adopted Always Delray Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations.
- C.** Continue With Direction.

Public and Courtesy Notices

✓ Courtesy Notice was provided to the following: • Palm Trail Association • Delray Estuary Association • Kokomo Key Association • La Hacienda Association • Seacrest Neighborhood Association	The following Public Notices were provided: ✓ Public Notice was mailed to property owners within a 500' radius on 8/5/2025, at least ten days before the meeting date. ✓ Public Notice was mailed to the adjacent property owners on 8/5/2025, at least twenty days before the meeting date. ✓ Public Notice was published in the Sun Sentinel on 8/15/2025, at least ten days before the meeting date. ✓ Public Notice was posted to the City's website on 8/15/2025. ✓ The agenda was posted at least 7 calendar days prior to meeting.
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