

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
STUDY SESSION MINUTES

June 13, 2018
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Barksdale, Commissioners Carlson, Laing, Malakoutian, Morisseau, Moolgavkar

COMMISSIONERS ABSENT: Commissioner deVadoss

STAFF PRESENT: Terry Cullen, Nicholas Matz, Department of Planning and Community Development; Carol Helland, Trisna Tanus, Department of Development Services

COUNCIL LIAISON: Mayor Chelminiak

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER
(6:41 p.m.)

The meeting was called to order at 6:41p.m. by Chair Barksdale who presided.

2. ROLL CALL
(6:42 p.m.)

Upon the call of the roll, all Commissioners were present with the exception of Commissioner deVadoss, who was excused.

3. APPROVAL OF AGENDA
(6:42 p.m.)

A motion to approve the agenda was made by Commissioner Laing. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

4. REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS – None
(6:42 p.m.)

5. STAFF REPORTS
(6:42 p.m.)

Comprehensive Planning Manager Terry Cullen distributed to the Commissioners flyers regarding neighborhood walks, noting that a number of the walks have been organized with the city's leadership team. He urged the Commissioners to post the flyers in their neighborhoods and to talk them up. He noted the first neighborhood walk was slated for June 14 and would focus on the downtown.

With regard to the Commission schedule, Mr. Cullen said the threshold review public hearing for Newport Hills on June 27 is expected to draw a large crowd. The Commissioners were urged to ~~arrive~~ arrived a bit early. He noted that officer elections would occur at the first meeting in July, and that the two meetings during that month would focus on the East Main Land Use Code amendment. The reminded the Commissioners that there would be no meetings during August.

Mr. Cullen reported that Community Development Program Manager Bradley Calvert will be leaving Bellevue and moving to Glendale, California.

6. ORAL AND WRITTEN COMMUNICATIONS – None
(6:46 p.m.)

7. PUBLIC HEARING
(6:46 p.m.)

Mr. Cullen briefly explained that the purpose of the public hearings was to make recommendations to the City Council regarding threshold review for four of the five privately initiated plan amendments submitted for the 2018 Comprehensive Plan amendment cycle. He noted that under state law the Comprehensive Plan can be amended only once per year. For the 2018 cycle, five private amendments were submitted by the deadline. The first step of the two-step amendment process is threshold review, and the second step is final review. The purpose of the threshold review is to make a recommendation to the City Council as to whether or not an amendment should be moved forward into the work program for a full review and study. The merits of the individual amendments are not debated during threshold review. The Land Use Code includes seven criteria which must be considered for threshold review. He said following the public hearing, the Commission would make a recommendation based on those seven criteria.

Mr. Cullen stated that the use of resolutions to record the decisions of the Commission represented a new approach. He briefly explained the public hearing process

A. City Dacha LLC

A motion to open the public hearing was made by Commissioner Carlson. The motion was seconded by Commissioner Laing and the motion carried unanimously.

Senior Planner Nicholas Matz said the privately initiated application seeks to amend a 0.43-~~acre~~ site in the Wilburton subarea from Public/Single Family-Low (P/SF-L) to Multifamily-Medium (MF-M). The site is located at 160 118th Avenue SE. The site is currently developed with a vacant single family home.

Mr. Matz said in the opinion of the staff, all of the threshold review criteria are met and the application should be advanced to the work program. The proposal addresses significantly changed conditions since the last time the plan map or text was amended. At issue is the unanticipated consequence of the public part of the site designation. Since the site will not be acquired for park purposes, the public designation prevents consideration of an appropriate density on the site.

The applicant is seeking a designation of Multifamily-Medium, which would allow for a rezone to R-20 to match the adjacent Wilburton Highlands project. The expectation of the plan was that the public designation would effect having the site become part of the Wilburton Hill Park; that

has not taken place, nor will it, and leaving the public designation in place is not something that was expected when the site was no longer under consideration for park purchase. Accordingly, it is appropriate to focus on what the designation of the site should be.

Mr. Matz stated that no public comments had been received to date regarding the City Dacha LLC amendment. He said the city's parks department has been kept in [the](#) loop and fully informed with regard to the proposal.

Mr. Ian Morrison with McCullough Hill Leary, 701 5th Avenue, Suite 6600, Seattle, spoke representing the applicant. He concurred with the threshold review recommendation of the staff and said the staff report adequately lays out the argument in favor of all the criteria having been met. At the time the current designation was determined, the site was under consideration for a park use and the public designation was appropriate. The city's park plans no longer include the site and for the threshold conversation it is appropriate to move forward to final review where the merits of the application can be discussed.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

A motion to adopt the resolution with the staff recommendation that the City Dacha LLC Comprehensive Plan amendment be moved on for substantive review was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau and the motion carried unanimously 6-0.

B. Bellevue Nursery

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Mr. Matz said the subject property is located at 842 104th Avenue SE in the Southwest Bellevue subarea. The privately initiated application seeks to amend the designation on the 0.53-acre site from Single Family-High (SF-H) to Neighborhood Business (NB). The site is currently developed with a plant nursery and building. The property has always been used for commercial purposes, but the commercial use of the site is non-conforming to the residential designation applied to the site. The site is part of a local community of businesses, it is just not necessarily as recognizable as ones like Crossroads, Bel-East and Lake Hills that function as designed to serve neighborhood and local businesses. The local businesses along Bellevue Way serve the same functions.

Mr. Matz said the recommendation of staff was that the amendment meets the threshold review decision criteria and it should be included in the work program. It addresses significantly changed conditions in that the unanticipated consequences of a residential land use designation directing redevelopment conflicts with the reality of the site's extremely long-tenured use for commercial purposes. The nonconforming designation prevents certainty relative to being able to sustain the community role of local business. The business is an anchor for the local community and serves as a third place.

The Commissioners were informed that four comments or inquiries had been received from parties or interests. Aside from inquiring about the status of the application, one person commented that the applicant did not address the significantly changed conditions criterion, and that no change has been seen relative to the site that would warrant revisiting whether or not

things should remain as they are.

Mr. Kevin Sutton with NZ Architects, 600 108th Avenue NE, spoke representing the applicant. He said his clients are long-time residents of Washington state. During that time they have owned and operated several businesses and worked for several local companies. Their current sole focus is on the operation of the nursery, and it was a passion for horticulture that drove them to purchase the nursery three years ago. Some minor improvements have been made to the property but they have ideas for more to help them operate more efficiently and provide a safer, more convenient and more diverse retail experience. The current zoning designation is in conflict with the long-established use, and the city has difficulty in granting permits for nonconforming uses under the current zoning. The nursery business has been operating on the present site for 63 years and the current owners want to maintain the tradition by reinvesting in the site. The proposed amendment is needed to enhance the level of community engagement, prolong the health of the operation, and provide for some reinvestment in the local neighborhood.

Ms. Thanny Mather, 839 104th Avenue SE, voiced support for the proposed amendment. He said his property is adjacent to the site and that he has spoken often with the owner who has indicated he wants to include a coffee shop and French pastry shop. The only concern is how the site could be redeveloped under the Neighborhood Business zoning should the property owner decide not to continue the nursery use. The site is across the street from single family residential uses.

A motion to close the public hearing was made by Commissioner Morisseau. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Commissioner Moolgavkar asked how a nonconforming site could have been missed or overlooked in past Comprehensive Plan updates. She asked if it was missed by virtue of simply not having been looked at, or if a decision was made to keep it nonconforming by retaining the single family designation. Mr. Matz said he was pretty sure there was no intent to keep it nonconforming. He speculated that the current R-4 zoning simply did not pop up on the radar of the larger ten-year Comprehensive Plan updates. The owner of the site has rightly come forward seeking to fix the issue.

Commissioner Carlson agreed the designation of the site should be changed to bring the use into compliance with what it has been for a long time. He said his question was how it got to be what it is in the first place. Mr. Matz said his tracking of the site's provenance indicates the site was part of the original Bellevue that was incorporated in 1953. The site was, for some reason, zoned residential at that time. He said he did not know the exact year the nursery business started. If it was prior to 1953, it could very well be that the zoning and planning done at the time looked only at the larger area of which the site is a part. The configuration of the property may have contributed to the current designation and zoning. For much of the property in the original boundaries of the city, there is no record of actions to permit various uses.

Land Use Director Carol Helland pointed out that nurseries used to be permitted outright in residential areas, and that was true at the time Bellevue incorporated because of the rural nature of the community at that time.

Commissioner Morisseau said she was unclear in regard to what the changed condition is. She said the Comprehensive Plan tries to preserve places in the community that serve as anchors, and the nursery has been where it is for such a long time that it is one of those places. The code does not prevent the nursery from continuing to operate as a nursery, which the applicant has said he wants to do. If the nursery were to cease operating and be torn down, whatever comes along next

would have to meet the underlying single family zoning, which matches the surrounding area. Mr. Matz agreed that the current use can continue to operate as a nonconforming use so long as no terms of the nonconforming use status [areis](#) not violated. The conflict centers on the fact that the Comprehensive Plan expects the site to be residentially used and at the same time calls for supporting local businesses and giving them the same opportunities and access to the city's Land Use Code that will allow them to continue to sustain a role in the community. The current use cannot continue to grow as it needs to sustain itself given the designation the Comprehensive Plan expects the site to have. That sets up an unanticipated condition. Commissioner Morisseau disagreed. She said the fact that the current use can under the code continue to operate as a nonconforming use and serve as an anchor in the community.

Mr. Cullen pointed out that banks are often reluctant to loan on nonconforming uses, which creates a financial hardship for business owners. Nonconforming uses face different considerations unrelated to significantly changed conditions.

Commissioner Laing said he lives near to the nursery site and has spent a lot of time there over the years. He agreed that the nursery offers value to the local neighborhood. There was no Growth Management Act when Bellevue incorporated in 1953. After incorporation, the city adopted zoning and at the time single family zoning allowed for nurseries as a permitted use. At some point nurseries in single family zones were removed as an outright permitted use, rendering the site nonconforming, which was the direct consequence of an adopted policy. That clearly meets the threshold decision criteria. He agreed that nonconforming uses often face difficulties in seeking financing to grow, but pointed out that they also face challenges just in trying to maintain themselves over time. That is because there are thresholds beyond which an expansion or certain changes triggers a host of other land use regulations. It is very possible that retaining the current zoning, which renders the nursery use nonconforming, could ultimately be what will kill off the business. He said the criteria for moving forward for further analysis are met by the application.

Commissioner Morisseau asked if NB is the only option for the site other than single family. Mr. Matz said NB is what the applicant has asked for. A range of other neighborhood-serving commercial designations could be considered, though the city's toolkit in that regard is limited to NB and Neighborhood Mixed Use (NMU).

A motion to have the Commission adopt the resolution approving the staff recommendation that the Bellevue Nursery Comprehensive Plan amendment move on from threshold review was made by Commissioner Laing. The motion was seconded by Commissioner Moolgavkar.

Mr. Cullen suggested that the motion as made did not reflect the perspective in the staff report and adds a dimension that likely would be of interest to the City Council. He suggested revising the motion to include "Whereas there was no Growth Management Act when the city was incorporated in 1953; and whereas nurseries were allowed in residential areas without permits; and whereas since that time the Land Use Code was changed to make nurseries a nonconforming use in residential areas; and whereas this represents a significantly changed condition."

A motion to amend the motion as suggested by Mr. Cullen was made by Commissioner Carlson. The motion to amend was seconded by Commissioner Laing and the motion carried unanimously 6-0.

Commissioner Morisseau asked to amend the motion to direct staff to look at other possible zoning that would make sense for the subject property and the surrounding area. Mr. Cullen said

that could be done as a separate motion and would not need to be part of the recommendation that goes to the Council. All the Council is going to do is make a decision regarding whether or not the proposed amendment should be included in the work program. He said the issue would be reflected in the minutes.

A motion to direct staff to look at other possible zoning considerations for the Bellevue Nursery site in addition to the one asked for by the applicant was made by Commissioner Morisseau. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

The motion as amended carried unanimously 6-0.

C. Red Town

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Moolgavkar and the motion carried unanimously.

Mr. Matz explained that the privately initiated amendment seeks to amend 1.56 acres in the Newcastle subarea from Single Family-Medium (SF-M) to Single Family-Urban Residential (SF-UR). The site is located at 16425 SE Cougar Mountain Way and developed with a single family home. He noted that much of the area was subdivided in the county and as growth management took place and the city annexed areas, some extensive work was undertaken relative to the two Lakemont land use studies to embrace a newly evolving concept involving urban densities. The focus was on meeting the city's obligations under the Growth Management Act while recognizing development patterns. The new SF-UR added a higher density single family designation to the mix of existing single family designations. Developers took advantage of the new designation through outright zoning and through the planned unit development concept.

Mr. Matz said the conclusion reached by staff was that the proposal meets all the threshold review criteria, including significantly changed conditions, and should be added to the work program. With regard to changed conditions, when the areas in Lakemont were under review for the most appropriate designations, the Red Town site got missed. One of the consequences is a site configuration that does not allow for full development under the existing zoning. With the requested SF-UR designation, there will be additional flexibility.

The Commission was informed that five public comments or inquiries had been received regarding the proposal. Four of the comments were requests for information about the proposal and the fifth expressed interest in seeing how the site develops.

The applicant Ms. Shawn Bliss shared with the Commissioners a map showing her property and the surrounding density. She noted that all properties around hers have been developed. The proposal is to revise the Comprehensive Plan in order to achieve the goals of the Growth Management Act. The change in the designation for the site will allow for change the zoning to bring about lot sizes that are consistent with adjacent development. The odd layout of the parcel limits the number of units that can be built on it under the current designation. The Comprehensive Plan language was revised in 2005 to call for maintaining policies that increase the number of people who have access to free or low-cost recreational opportunities for physical activity, including non-competitive physical activity. The advantage of the subject property is that it is near Cougar Mountain Regional Park, the largest county park in King County. A designation of SF-UR represents the best fit with neighboring and area developments, including Cougar Ridge West and Albright. The site is adequately buffered by both a Native Growth Protection Area, a detention pond and a park site.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

A motion to adopt the resolution with the staff recommendation that the Red Town amendment meets the criteria for threshold review and to recommend moving it into the 2018 work program was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau and the motion carried unanimously 6-0.

D. DASH Glendale

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously.

Mr. Matz said the privately initiated Comprehensive Plan amendment application seeks to amend the designation on a 3.8-acre site at 12600 NE 8th Street in the Wilburton subarea from Multifamily-Medium (MF-M) to Neighborhood Mixed Use (NMU). The site is currently developed with multifamily housing and an assisted living complex. He noted that during geographic scoping the Commission directed staff to include the adjacent Evergreen Court property, which is also owned by DASH.

Mr. Matz said the application involves several streams of city, community and property owner interests coming together. He said the recommendation of the staff was not to address the issues as part of a Comprehensive Plan amendment, and to direct it to an approved work program of the city, specifically the Wilburton/Grand Connection study implementation effort. All of the different paths that have come together for the site appear to be the right choice to make in terms of having a conversation about what the appropriate designation should be for the site.

Commissioner Moolgavkar asked if that approach would result in a delay in redeveloping the site. Mr. Matz said the Council is set to receive the recommendations of the Wilburton CAC before its summer break, at which point they will direct what will be done in terms of moving it forward. If moved forward, the process will include Comprehensive Plan amendments that will be part of the 2019 amendments package. DASH is on board with taking that path.

Mr. Matz said the recommendation of staff was to include the proposal, as expanded, in the previously established and ongoing Wilburton CAC work study program recommendation. Further, the staff recommendation is that the Wilburton study policy, code and zoning implementation work establish an approach land use and density for the site that is consistent with the vision, principles and recommendation of the Wilburton CAC. The issue was raised with the Wilburton CAC at its last meeting and there was a healthy conversation. The CAC concluded that it would be appropriate to bring the DASH site into the study area boundary and to look at what an appropriate residential designation would be for the site. The asked for NMU designation represents a reason to examine the issue under threshold review. Were it not for the Wilburton study program, staff would recommend advancing it through threshold review. The proposal can be more appropriately addressed by including it in the Wilburton area.

To date, eight public comments have been received from six parties of interest. Several have been from people who live at Glendale. Some have expressed concern about how density might be measured on the site under the MNU designation. The Wilburton CAC members were careful in making their comments to talk about how the height and FAR dimensions being developed for the residential land uses applying to the site.

Ms. Chris Buchanan with DASH Housing, 11018 NE 11th Street, spoke representing the applicant. She said DASH is Bellevue's local housing agency and has been for 25 years, during which time it has developed a housing portfolio of 13 properties which collectively have nearly 800 units, 272 of which are located either in or close to the downtown. She said the mission of DASH is affordable housing and affordable workforce housing. The two properties under review are encumbered with mandates guaranteeing affordability levels below 60 percent of the area median income through at least 2050. The majority of the residents in DASH units earn less than 50 percent of area median income. While the properties are encumbered through 2050, it is unlikely that the buildings will last that long. In planning for the future of the properties, considering needs to be given to adding more units to the total.

Continuing, Ms. Buchanan said DASH believes the Comprehensive Plan amendment is consistent with the city's adopted affordable housing strategy and meets the established criteria for threshold review. The goals of providing affordable housing are always better achieved when working together with the community. The diversion of the DASH Glendale application into the Wilburton CAC study area work plan will allow the opportunity to continue the conversation in a robust fashion and as such DASH agrees with the staff recommendation.

Commissioner Carlson asked what DASH sees for the two properties that is not already in place. Ms. Buchanan said DASH hopes to see more workforce affordable housing. She said it is too early to say how many more units there might be or how dense the sites should be. Both properties are maxed out under their current zoning. The only alternative for the sites is NMU, which involves a FAR-based density calculation. At the same time, NMU is somewhat limiting in that it requires commercial uses.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau and the motion carried unanimously.

A motion to adopt a resolution as proposed in the staff recommendation to move the DAHS Glendale Comprehensive Plan amendment into the Wilburton study work plan was made by Commissioner Laing. The motion was seconded by Commissioner Malakoutian and the motion carried unanimously 6-0.

BREAK

B. Minor Code Conformance Amendments Eastgate and Downtown

A motion to open the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Moolgavkar and the motion carried unanimously.

Legal planner Trisna Tanus explained that the Land Use Code amendment is needed in order to achieve consistency with the new downtown code, Part 20.25A, and the Eastgate Land Use Code amendments, both of which were adopted by the Council toward the end of 2017. The amendment is also needed in order to incorporate the International Building Code and the Bellevue City Code amendments related to construction type in Factoria Development Area III, and to clean up, clarify and correct errors, omission and/or internal conflicts, including the landscape buffer provision in Bel-Red, Part 20.25D of the Land Use Code.

The Land Use Code amendment is a Process IV decision. The amendment was introduced to the amendment on March 28 and a public hearing was held on May 9, after which the Commission

voted to transmit a recommendation for adoption of the amendment. On May 16 the Commission reconsidered its recommendation and scheduled another public hearing with more comprehensive noticing documents. Notice was published in the Weekly Permit Bulletin along with the *Seattle Times*. An updated staff report was prepared along with an updated draft of the amendment, both of which were made available as part of the noticing.

Ms. Tanus highlighted several examples from the proposed amendment, beginning with a drafting artifact in the downtown code. She said the dimensional charts in LUC 20.25A.060.A.4 provide for two numbers, the maximum building height and the maximum building height with mechanical equipment. In addition, in LUC 20.25A.0606.B.3 there is an allowance for a 20-foot height intrusion for mechanical equipment through an administrative departure. Review of the Commission minutes from May 24, 2017, confirmed that the Commission did not intend for the 20-foot administrative intrusion to be in addition to the maximum building height with mechanical equipment. The proposed amendment deletes the 20-foot administrative intrusion from LUC 20.25A.060.A.4.

The second example related to the 2016 International Building Code amendments. Ms. Tanus said the International Building Code now allows for five levels of wood frame construction over two levels of concrete construction. The format is more cost-effective and flexible for housing developments and is ideally 75 feet high. The construction type was not permitted in the city when the Factoria 1 regulations were last amended in 2007, thus as a result the maximum height for Development Area III was set at 60 feet. The proposal is to amend the code to permit five over two construction in Development Area III by increasing the maximum height to 75 feet in LUC 20.25F.140, which would make it consistent with the height limit in Development Area II. The intensity and total number of dwelling units allowed in the Factoria 1 district will not be changed under the amendment.

Commissioner Carlson asked if Development Area III is the northwest corner. Ms. Tanus allowed that it is.

The third example involved a clarification for the Bel-Red area regarding the landscape buffer in LUC 20.25D.110.C. Ms. Tanus said the buffer is intended to provide a transition and visual separation between different land use districts. The proposed amendment calls for a 20-foot landscape buffer along the interior property line of a district abutting BR-R land use district and along the interior property line of the BR-ORT land use district abutting any non-Bel-Red land use district.

Ms. Helland said the buffer was intended to serve the same as the buffer in the downtown where properties located in more intense districts are required to provide a landscape buffer along the perimeters to create a separation from less intense districts. In Bel-Red, the intent is to buffer the more intense districts from the single family districts to the south. The language revision is needed to make sure the code is clear about the intent.

Ms. Tanus said the proposed amendment is consistent with the Comprehensive Plan. It enhances the public health, safety or welfare, and it is not contrary to the best interest of the citizens and property owners of the city of Bellevue.

Mr. Michael Strahs, director of development of Kimco Realty, 4065 Factoria Square Mall, explained that Kimco's affiliate entity Kimsha Factoria LLC owns The Market Place at Factoria. He said the proposed redevelopment of the site is not before the Commission as part of the proposed Land Use Code amendment. He voiced support for inclusion of the height issue in the

amendment to conform the zoning code with the International Building Code. He noted that the density cap across the entire shopping center site will not change and increasing the height in the northwest corner will not increase the overall density in any way.

A motion to close the public hearing was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried unanimously.

A motion to recommend to the Council approval of the 2018 conformance amendments contained in the draft ordinance was made by Commissioner Laing. The motion was seconded by Commissioner Morisseau.

Commissioner Laing said it was good to see Bellevue moving to approve five over two construction, which Redmond and Seattle has allowed for decades. The construction type allows for efficiency that can significantly reduce the cost of residential units above commercial uses.

The motion carried unanimously 6-0.

8. STUDY SESSION – None

9. OTHER BUSINESS – None

10. APPROVAL OF MINUTES

A. May 26, 2018

A motion to approve the minutes as submitted was made by Commissioner Laing. The motion was seconded by Commissioner Carlson and the motion carried without dissent; Commissioner Laing abstained from voting.

11. CONTINUED ORAL COMMUNICATIONS

Mr. Daniel Brennan, 5611 118th Avenue SE, said a conflict would prevent him from attending the June 27 public hearing on the Newport Hills Shopping Center. He said while the Newport Hills Shopping Center is worn and faded, the community believes it has a strong and beating heart that continues to serve as the heart of the community. The center serves the needs of the community. During the evening hours and on weekends the parking lot is packed and the stores are full. The center is integral to those living on the hill and plays a central role in their daily lives. The significantly changed condition decision criteria has not been met. The center is viable and redevelopment as proposed by the current owner will only benefit the owner. He urged the Commission not to move the amendment forward.

12. EXECUTIVE SESSION – None

13. ADJOURN

A motion to adjourn was made by Commissioner Laing. The motion was seconded by Commissioner Moolgavkar and the motion carried unanimously.

Chair Barksdale adjourned the meeting at 8:30 p.m.