

**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF BAINBRIDGE ISLAND**

In the Matter of the Applications of	)	No. PLN 50880 SPR/CUP
	)	
<b>Michael &amp; Darden Burns, LLC,</b>	)	Winslow Hotel SPR/CUP
<b>On Behalf of Madison Avenue</b>	)	
<b>Development, Inc.</b>	)	
	)	
For Approval of a Major Site Plan	)	
and Design Review and	)	
<u>Major Conditional Use Permit</u>	)	<b>POST-HEARING ORDER</b>

TO: Nancy Rogers, Applicant Attorney  
Via email to: nrogers@cairncross.com

Jim Haney, City Attorney  
Via email to: jhaney@omwlaw.com

David Bricklin, Attorney for Winslow Neighbors  
Via email to: bricklin@bnd-law.com

Carla Lundgren, City of Bainbridge Island  
Via email to: clundgren@bainbridgewa.gov  
For Official File

PLEASE TAKE NOTICE that on January 23, 2020, an open record hearing on the above-referenced applications was convened. Documents and testimony were received from the City, the Applicant and the public. At the conclusion of the hearing, the Hearing Examiner determined that the record should be kept open to receive additional information, identified as follows:

- By **Noon, January 24, 2020**, Ms. Phyllis Carlyle may submit a list of proposed conditions related to mitigation of noise impacts in order to complete her testimony on this topic (this has been received);
- By **Noon, January 24, 2020**, Attorney Bricklin may submit the documents he had prepared for the SEPA Appeal (since withdrawn) but had not yet provided to the City or the Applicant (this has been received);
- By **Noon, January 31, 2020**, the attorneys for the Applicant and for the City may submit a response to public testimony presented at the open record hearing. The response may include affidavits from witnesses present at the open record hearing (such as City staff and expert witnesses) but shall not include additional documents submitted as exhibits

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other than an attorney brief that references post hearing affidavits or exhibits already admitted into the record at the open record hearing.

- By **Noon, February 7, 2020**, the attorneys for the Applicant, the City and the Winslow Neighbors may submit a request to reopen the hearing following review of the response document submitted in response to public testimony. This request shall not contain new documents not previously submitted, but is intended to provide an opportunity for additional hearing if needed to respond to significant new information provided in response to public comment.

No additional documents, comments, briefs or other written material shall be considered as part of the record except for that identified above. If a document, comment or brief is submitted other than what is identified above, it will not be considered by the Hearing Examiner. The record will be closed on February 7, 2020, and a decision issued on the two applications by February 24, 2020, unless the hearing is reopened. The Hearing Examiner will decide by February 12, 2020, if the hearing should be reopened.

So ordered this day 24<sup>th</sup> day of January 2020.



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THEODORE PAUL HUNTER  
Hearing Examiner  
Sound Law Center