

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)	
)	
Renaissance Centro M Street, LLC)	
t/a Hyatt Place Washington DC Georgetown/West End)	
)	
Applicant for a New)	Case No. 15-PRO-00078
Retailer's Class CH License)	License No. ABRA-099352
)	Order No. 2015-544
at premises)	
2121 M Street, N.W.)	
Washington, D.C. 20037)	
)	

Renaissance Centro M Street, LLC, t/a Hyatt Place Washington DC Georgetown/West End
(Applicant)

Patrick L. Kennedy, Chairperson, Advisory Neighborhood Commission (ANC) 2A

Sally Blumenthal, on behalf of A Group of Five or More Individuals (Forty-Six Individuals)

Sara Maddux, President, West End Citizens Association (WECA)

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF PROTESTS**

The Application filed by Renaissance Centro M Street, LLC, t/a Hyatt Place Washington DC Georgetown/West End, for a new Retailer's Class CH License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on August 24, 2015, and Protest Status Hearing on October 14, 2015, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant, ANC 2A, a Group of Five or More Individuals, and WECA have entered into a Settlement Agreement (Agreement), dated November 10, 2015, that governs the operation of the Applicant's establishment.

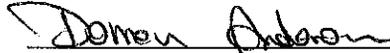
The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant; Chairperson Patrick L. Kennedy, on behalf of ANC 2A; Sally Blumenthal, on behalf of A Group of Five or More Individuals; and Sara Maddux, on behalf of WECA; are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protests filed by ANC 2A and the Group of Five or More Individuals.

Accordingly, it is this 18th day of November, 2015, **ORDERED** that:

1. The Application filed by Renaissance Centro M Street, LLC, t/a Hyatt Place Washington DC Georgetown/West End, for a new Retailer's Class CH License, located at 2121 M Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protests of ANC 2A and the Group of Five or More Individuals in this matter are hereby **DISMISSED**;
3. The above-referenced Settlement Agreement, dated November 10, 2015, submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Applicant; ANC 2A; Sally Blumenthal, on behalf of the Group of Five or More Individuals; and Sara Maddux, on behalf of WECA.

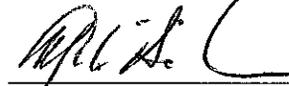
District of Columbia
Alcoholic Beverage Control Board



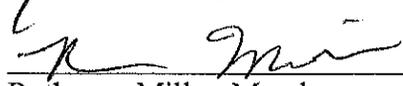
Donovan Anderson, Chairperson



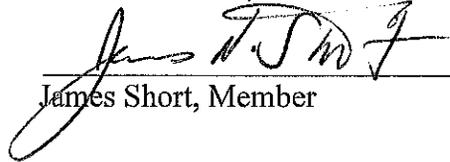
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

SETTLEMENT AGREEMENT

This Settlement Agreement is made on this 10th day of November, 2015, by and between Renaissance Centro M Street LLC, t/a Hyatt Place Washington DC/Georgetown/West End ("the Applicant") and Advisory Neighborhood Commission 2A ("the ANC"), Sally Blumenthal, designated representative of a group of 46 individuals ("the Group of Individuals") and West End Citizens Association ("WECA")¹ (collectively "Protestants")

WITNESSETH

WHEREAS, the Applicant's application for a Class CH Alcoholic Beverage Control (ABC) license for premises 2121 M Street, NW is pending before the District of Columbia ABC Board; and,

WHEREAS, said premises is within the jurisdictional boundaries of the ANC and WECA; and, the Group of Individuals reside across the street from the Applicant's proposed premises; and,

WHEREAS, the Protestants objections are limited to the summer garden rooftop terrace endorsement, and there are not objections to the underlying hotel interior operations; and,

WHEREAS, the parties desire to enter into this Settlement Agreement in order to reflect their understandings regarding certain aspects of the Applicant's rooftop operations;

NOW, THEREFORE, in consideration of the recitals set forth above and the terms and conditions provided below, the parties agree as follows:

1. Maximum Seating

The summer garden rooftop terrace seating and total occupant load shall not exceed forty-nine (49) or any lesser number as indicated on the Certificate of Occupancy.

2. Hours & Days of Rooftop Terrace Operation

The hours of operation and sales of alcoholic beverages on the rooftop terrace summer garden shall not exceed the hours as follows:

Sunday through Thursday: 10:00 am to 10:00 pm; and
Friday and Saturday: 10:00 am to 11:00 pm

The rooftop terrace summer garden will not be open to the general public, and a hotel key card will be required to operate the elevator to the roof level. There will not be a permanent bar on the rooftop terrace, nor will any tent structures be placed on the rooftop. After the conclusion of nightly hours on the rooftop terrace, Applicant shall lock off elevator access in a manner to reasonably prevent after

¹ WECA was not granted standing at the initial roll call hearing and filed a timely Motion for Reinstatement which applicant did not oppose. WECA remains a party to this agreement irrespective of the standing status to protest of the application.

hours use of the rooftop by any hotel guests. It is understood by the parties that hotel employees may remain past the nighttime operation hours to clean up and secure the rooftop, but no longer than one (1) hour after the nighttime operation hours above mentioned.

3. Music & Entertainment

Applicant shall not offer entertainment or live music on the rooftop summer garden. Background recorded music will be permitted but will be monitored to maintain reasonable noise levels and speakers will be placed facing North away from the residents of 1177 22nd St. NW. Subwoofers will not be placed on the rooftop terrace. Any events will not be for public access but only for booked events associated with guests of the hotel and portable bar service may be provided.

Background music provided by speakers shall terminate at 10:00 pm.

4. Licensee Point of Contact

The Protestants acknowledge having received the contact information for the Applicant's management company. Applicant will provide the Protestant's with new contact information for successive management staff, including the General Manager. The Protestants are encouraged to contact the Applicant or the General Manager directly regarding complaints related to this Agreement including, but not limited to, complaints of noise.

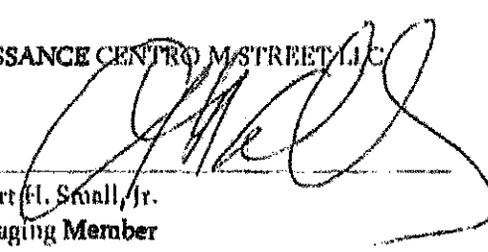
5. Incorporation of Settlement Agreement

The Applicant acknowledges that the Protestants are relying on the foregoing commitments and will withdraw the protests that heretofore have been filed with the ABC Board. The parties jointly request that this Agreement be incorporated into the ABC Board's order approving the pending summer garden endorsement to the Class CH License application.

[SIGNATURES TO FOLLOW]

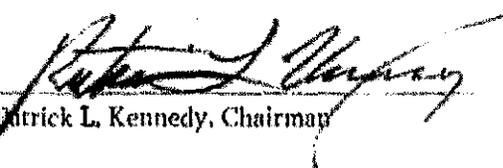
IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

RENAISSANCE CENTRO M STREET LLC

By: 

Albert H. Small, Jr.
Managing Member

ADVISORY NEIGHBORHOOD COMMISSION 2A

By: 

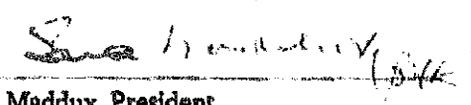
Patrick L. Kennedy, Chairman

GROUP OF INDIVIDUALS

By: 

Sally Blumenthal
Designated Representative

WEST END CITIZENS ASSOCIATION

By: 

Sara Maddux, President