



# Advisory Neighborhood Commission 2A

*“Serving the Foggy Bottom and West End communities of Washington, D.C.”*

November 11, 2015

Ruthanne Miller  
Chairperson  
Alcoholic Beverage Control Board  
2000 14th Street, N.W., S400  
Washington, DC 20009  
[abra@dc.gov](mailto:abra@dc.gov)

**RE: Application by “Renaissance Centro M Street LLC” (t/a “Hyatt Place Washington DC Georgetown/West End” (“Hyatt Place”, ABRA-099352)) for a new Retailer’s Class “C” Hotel license at 2121 M Street, N.W.**

Dear Chairperson Miller,

In a July 26, 2015 submission to the Alcoholic Beverage Control Board, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) stated that at the Commission’s regular meeting on July 15, 2015, ANC 2A had voted unanimously (4-0-0) to protest the above referenced application by Hyatt Place based on concerns related to peace, order, and quiet of the neighborhood, impact on residential parking and vehicular and pedestrian safety, and adverse effects on nearby residential real property values. At the same meeting, the Commission also voted unanimously (4-0-0) to allow the ANC 2A’s Chairperson to withdraw the Commission’s protest once a settlement agreement was agreed to with the Applicant.

I am pleased to report that after several months of negotiations between ANC 2A, the group of 46 that is protesting the application, and the Applicant, the Commission has entered into a settlement agreement with the Applicant, which is attached to this letter. I am thus withdrawing ANC 2A’s protest of the application by Renaissance Centro M Street LLC for a new Retailer’s Class “C” Hotel license at 2121 M Street NW.

Commissioners Florence Harmon ([2A06@anc.dc.gov](mailto:2A06@anc.dc.gov)) and Patrick Kennedy ([2A01@anc.dc.gov](mailto:2A01@anc.dc.gov)) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Patrick Kennedy  
Chairperson

CC: Michael Fonseca, Counsel for the Applicant  
Sally Blumenthal, Representative for the Group of 46  
Barbara Kahlow, Secretary-Treasurer, West End Citizens Association

## 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”)<sup>1</sup> (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

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<sup>1</sup> 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 22<sup>nd</sup> 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

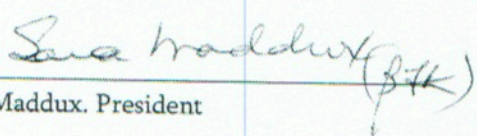
ADVISORY NEIGHBORHOOD COMMISSION 2A

By:   
Patrick L. Kennedy, Chairman

GROUP OF INDIVIDUALS

By:   
Sally Blumenthal  
Designated Representative

WEST END CITIZENS ASSOCIATION

By:   
Sara Maddux, President