

Addendum to Voluntary Agreement
Made this 9th day of December, 2010
By and between

Rose's Dream
(Danny Roberts, Applicant)
and

ANC6A

Whereas Danny Roberts, owner of Roses Dream, (Applicant) has applied for a substantial change to include a rooftop venue at Roses Dream located at 1370 H Street, NE, and

Whereas applicant and ANC6A agree that measures should be taken to mitigate noise emanating from the rooftop venue, the parties add the following agreement to the Voluntary Agreement dated June 21, 2004 between the ANC and Rose's Dream that:

- 1) Seating capacity will not exceed 50 persons
- 2) The patio will be used for seated guests only, that is, the applicant will not use the rooftop for persons standing, at a reception, etc.
- 3) Applicant agrees that sounds on the rooftop shall not be amplified, therefore speakers will not be used on the rooftop. This includes sounds from entertainment, a radio, jukebox, TV or microphone.
- 4) The Applicant will use plantings, walls, fencing, etc. to mitigate sounds from the patio.
- 5) The Rooftop will close seating at 11:00 PM weekday evenings and 12:00 PM on weekend evenings;
- 6) Placards or signs will be posted to notify patrons of the hours;
- 7) Placards will be posted requesting patrons to respect the neighboring residents;
- 8) Applicant will respond quickly to noise complaints which are brought through the ANC and take appropriate action to mitigate the problem;
- 9) In the event that noise on the rooftop repeatedly disturbs nearby homeowners, the ANC and applicant will work in good faith to negotiate an addendum to this agreement to mitigate noise through additional soundproofing measures.

Agreed to this 9th day of December 2010.

Veronica Roberts Danny Roberts
Danny Roberts, on behalf of Rose's Dream
Veronica Roberts

Kevin Robinson
Kelvin Robinson, Chair ANC6A, on behalf of ANC6A