

April 8, 2016

Thomas R. Mooney, Director
City of Miami Beach Planning Department
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Phone: (305) 673-7550, Fax: (786) 394-4799

Reference: 601-685 Washington Avenue (PB 2320) Sound Study Peer Review

Dear Mr. Mooney,

I would like to take this opportunity to respond to comments submitted by Arpeggio Acoustic Consulting, LLC in their peer review letter dated March 22, 2016. As always, Mr. Ehnert has provided a thoughtful review of our Sound Study. His description of the project is consistent with information provided by the applicant and our observations. His comments focus attention on several concerns which I will address in the order presented by him. Mr. Ehnert's comments appear in italics, indented to distinguish them from my comments.

3.1 Site Sound Survey

While the two sets of measurements—one of 5-minute duration at the southeast corner of Washington Avenue and 7th Street and one of 30-minute duration along Washington Avenue—provide some information about the soundscape in the vicinity, they are not sufficient to draw conclusions related to impact upon the Arcadia House Condominium.

First, while A-weighted decibels are a ubiquitous metric used to describe sound levels both within buildings and in the environment, where music, particularly that produced by live musicians and DJs, is a source, C-weighted levels (dBC) should be considered as a complement to A-weighted levels. This is due to the fact that C-weighted levels more accurately characterize sound with significant low-frequency content. Should there be any nuisance issues in this case, it is likely that they would be from low-frequency sound (e.g., thumping bass).

While A-weighted sound level data are the most commonly used metric for characterizing noise, our report also presents C-weighted data in both the sound level data (pages 5 and 6) and computer modeling of predicted sound distribution (pages 9 and 10). This allows an apples-to-apples comparison of noise levels generated by traffic versus music from the rooftop venue. Traffic and other ambient noise sources contain significant low frequency energy as illustrated in the data provided. C-weighted noise levels measured during the site study were consistently 10 dB higher than the A-weighted data. For example, during the shorter testing period, L_{Ceq} registered 78.5 dBC while L_{Aeq} registered 68.7 dBA (see Equivalent Levels graphic on page 6). The Octave-Band Levels graphic on the same page indicates an accumulated sound level of 69.3 dB in the 125 Hz octave, where much of the low frequency energy in music resides.



As stated on page 13, paragraph B, in the Rooftop Sound System Specification:

“B. Size of outdoor speakers shall be limited to small woofers (not to exceed 8" nominal) incapable of producing appreciable levels of low frequency energy, as lower frequencies (longer wavelengths) can travel greater distances than higher frequencies (shorter wavelengths). The lowest frequencies, which are essential to the reproduction of musical styles such as hip-hop and rap, are to be significantly attenuated by electronic means.”

It should be noted that restrictions on speaker size and type (see specification) will prevent significant low frequency energy (thumping bass) from being generated by the system. This will avoid exposure to this type of energy at any of the surrounding properties. The loudspeakers will be mounted below the top of the rooftop parapet and oriented so as to direct most of their output towards the center of the pool deck. This will further mitigate the amount of energy which will escape the rooftop.

Second, while knowledge of ambient sound levels between 11:25 pm and approximately midnight are very useful, we do not know what closing time would be at the rooftop pool deck. The report indicates that background music will be played between 8 pm (when entertainment ends) and this unspecified closing time. If this background music is loud enough, and the ambient level is low enough, audibility may be possible.

Hours of operation for the rooftop venue are detailed in the attached Proposed Operational Plan. It is to close at 1:00 a.m. daily, with entertainment to cease at 8:00 p.m. It is not anticipated that entertainment will be presented on a daily basis, rather more likely three to four days weekly.

As is frequently the case, uncertainties exist that must be accounted for once this venue is ready to be opened. The hypothetical sound system used in our analysis will be replaced by a system designed specifically to fit the outdoor space. Loudspeakers will be selected and positioned to best restrict sound propagation to the pool deck areas. The sound system's output will automatically be reduced to background levels at 8:00 p.m., ensuring that music will be completely inaudible on the West side of Washington Avenue.

As stated in the last paragraph of the Rooftop Sound System Specification, “The system, once completely installed, shall be tested and adjusted under the supervision of Don Washburn of the Audio Bug, Inc. to ensure that all aspects of the system’s performance comply with the design intent, City Ordinance and good technical practices.”

This final step to system commissioning ensures that sound levels and spectral content will be contoured to ensure that residential properties along the west side of Washington Avenue will not be adversely impacted. As is common practice, members of the City’s Planning Staff will be invited to inspect the finished system to confirm that all design criteria have been met.

Finally, and most importantly, no measurements were made at or near the façade of the Arcadia House. An L90 of 57.4 dBA was reported along Washington Avenue; however, the façade of the condominium is set back approximately 75’ to 100’ from Washington Avenue. It is quite likely that ambient levels that would tend to mask sound from the rooftop pool deck would be 5 to 10 decibels lower at the building façade than along Washington Avenue, assuming that traffic is the most prominent source, as the report states that it is. It is this lower sound level at or near the building façade that should form the basis of any audibility or impact assessments.



Portions of the measurements taken along Washington Avenue did include sampling of sound levels in the parking area outside the Arcadia House. Since we were mostly interested in obtaining an overview of the areas around the residential properties, no stationary measurements were conducted. It's not likely that data obtained at static test locations would yield significantly different results than those obtained while moving around the area along Washington Avenue. This is a very busy artery with heavy traffic present well into the early mornings.

3.2 Prediction of Rooftop Pool Deck Impact on Surroundings

The computer model results provide a very informative visual representation of the propagation of sound from a hypothetical sound system comprising 20 loudspeakers distributed about the pool deck. The model assumes a program level of 82 decibels (unweighted), presumably at 10'. What is unclear is whether this system will, in fact, be the system that is installed and whether this system and its parameters will be implemented, not only for background music, but also live and DJ entertainment. If not, then one or more supplemental models would need to be developed for those scenarios.

The hypothetical system design used in modeling sound propagation should be considered a worst-case scenario. Omni-directional loudspeakers were used and no effort was made to interrupt sound from these devices via structural elements on the rooftop. As stated above, speaker size and type (see specification) will prevent significant low frequency energy (thumping bass) from being generated by the system, avoiding exposure to this type of energy at any of the surrounding properties. The loudspeakers will be mounted below the top of the rooftop parapet and oriented so as to direct most of their output towards the center of the pool deck, further mitigating the amount of energy that will escape the rooftop.

The Rooftop Sound System Specification, Paragraph E, states "Live entertainers and DJs will be prohibited from bringing portable loudspeakers and amplifiers to the venue. They will only be permitted to provide their own music sources (computers, iPads, iPods, CD players, turntable) and mixing console. Connections will be provided at locations to be selected during the sound system design process."

Additionally, while we have no reason to question the results of the modeling, the conclusions drawn from it would need to be adjusted in light of our earlier point concerning what the actual sound levels are at the condominium façade. In other words, modeling results should not be compared to an L90 of 57.4 dBA measured near Washington Avenue when assessing impact on the condominium. They should, instead, be compared to the likely lower ambient (L90) sound level at the condominium, some 75' to 100' away from Washington Avenue. In fact, the report predicts a level, from the sound system, of approximately 62 dBA at the condominium façade. This is higher than the 57.4 dBA L90 near the street. It would be even more prominent against the likely lower ambient level at the condominium.

In addition to this, the figure showing predicted sound system levels indicates levels in the low 70s (dBA) at a distance of 100', near Washington Avenue. This is significantly over the L90 of 57.4 dBA measured in this area. This is salient given the fact that the Miami Beach noise code states the following:

"The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in



such manner as to be plainly audible at a distance of one hundred (100) feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.”

As stated above, the most restrictive hours referred to in the ordinance are those between 11:00 p.m. and 7:00 a.m. In recognition of this criteria, the rooftop venue will restrict entertainment to between 11:00 a.m. to 8:00 p.m., after which the system will operate at background levels. Sound levels generated on the roof will be much lower, therefore music will not be audible outside the rooftop venue.

3.3 Analysis Regarding Restaurant

The report briefly mentions an interior restaurant where entertainment level music is being proposed. However, aside from this reference, no other information is given. In order to assess potential impact, one would need information such as restaurant location, enclosing construction, anticipated interior sound levels, and an estimate of sound transmission through any intervening building components.

The restaurant design is detailed on pages 6, 7 and 10 of the Proposed Operational Plan. Hours of operation are included on page 19. Hours of entertainment inside will extend from 11:00 a.m. to 1:00 a.m. Construction is a combination of concrete and storefront glazing with a single door opening onto the outdoor seating area. The restaurant space is quite small, seating 76, and may not lend itself to having an area where a stage could be provided for entertainment, even a DJ.

While we cannot provide exact details relating to anticipated sound levels inside the restaurant nor sound transmission loss from inside to the outside at this time, this portion of the system will undergo the same process of calibration and tailoring of these parameters prior to be certified as complete. This will include inspection by members of the City’s Planning Staff. We do not anticipate that activities within this space will be problematic.

4 Conclusions

The sound study report prepared by The Audio Bug provides valuable information but lacks the information necessary from which one can draw a conclusion that there will be no impact upon adjacent areas, particularly the Arcadia House Condominium (but also the Collins Tower Condominium to the northeast and residential building at the northwest corner of Washington Avenue and 7th Street). In fact, data presented in the report seems to imply the opposite with respect to the Arcadia House, when considered in the context of the points contained herein, that sound from the rooftop pool deck will be audible at the condominium and will exceed ambient levels (thus, be audible) at a distance of 100’ from the source. Additionally, no information is given related to proposed entertainment level music inside an interior restaurant.

In summary, we believe the sound system which will ultimately be designed and installed, along with the strict operating conditions which will be imposed on the system, will result in a soundscape that will not intrude on surrounding properties.



THE AUDIO BUG, INC.

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Precautions and restrictions enumerated above will greatly reduce chances that it will generate sound levels capable of impacting neighboring residential properties along the West side of Washington Avenue. These include:

1. Restricted size of the outdoor speakers will significantly limit low frequency energy.
2. Limited hours of operation for the rooftop venue, with entertainment to cease at 8:00 p.m.
3. Automatic control of sound levels based on pre-programmed settings in the digital signal processor.
4. The system will be subjected to comprehensive testing and calibration system during the commissioning process to ensure that sound levels and spectral content will be contoured to ensure that residential properties along the west side of Washington Avenue will not be adversely impacted.
5. Members of the City's Planning Staff will be invited to inspect the finished system to confirm that all design criteria have been met.
6. The use of outside equipment will be prohibited. The "house system" will permit performers to connect only their music sources (computers, iPads, iPods, CD players, turntable) and mixing console to the system. This will ensure consistent sound levels with all sources.

I welcome questions and comments from all interested parties and look forward to assisting in achieving a successful outcome for this property and its neighbors.

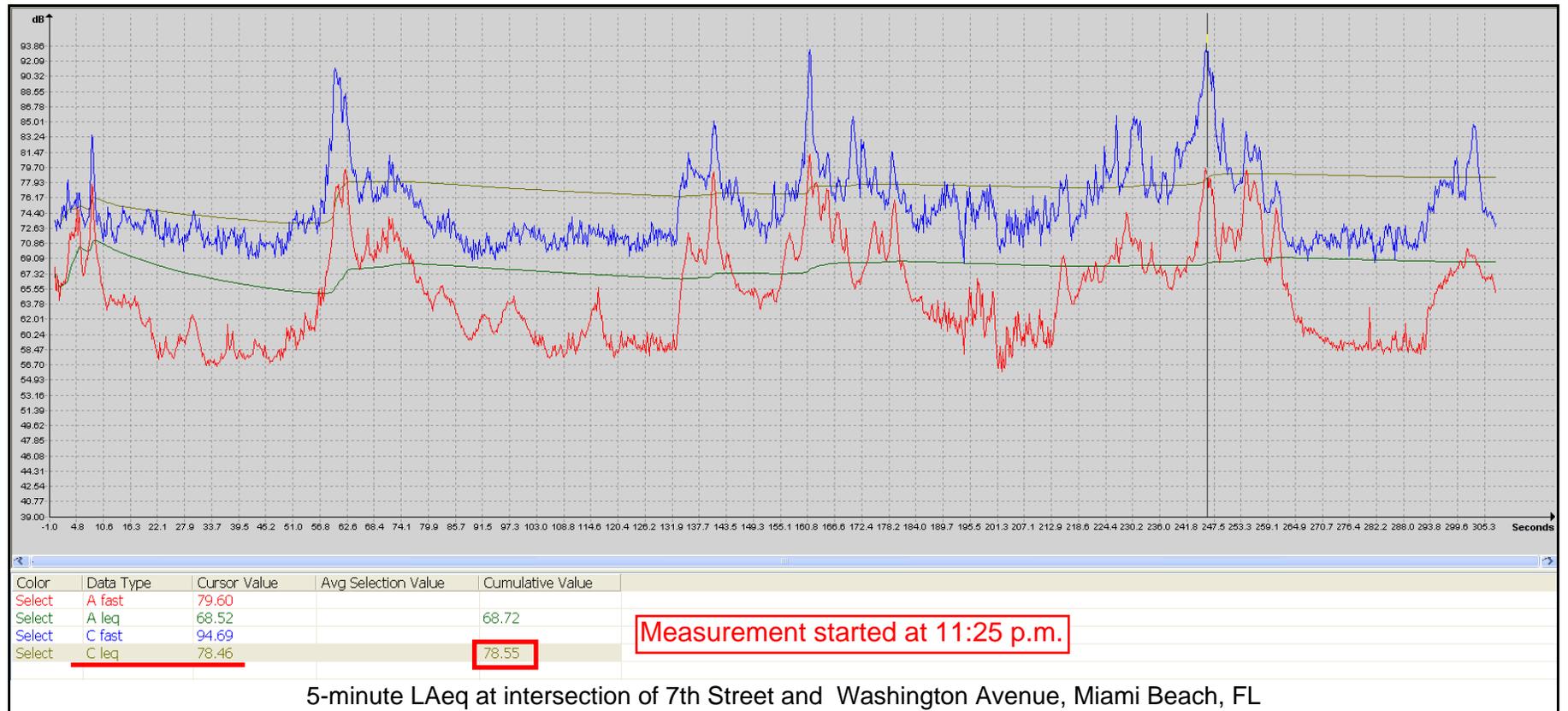
Respectfully submitted,



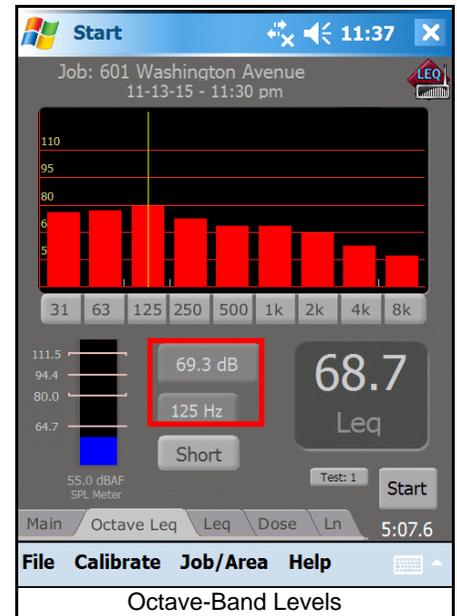
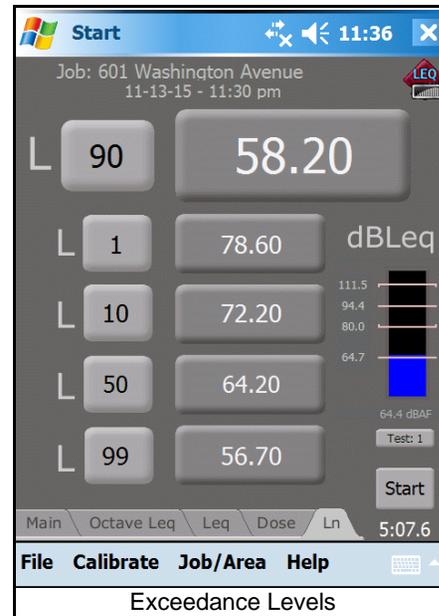
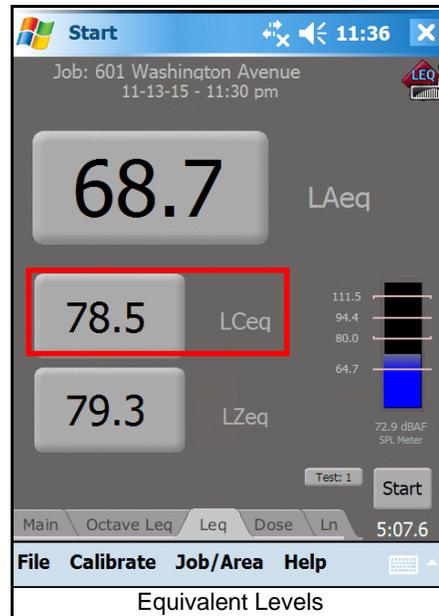
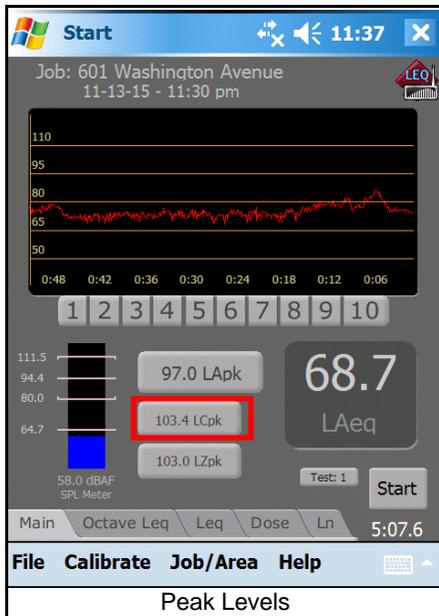
Donald J. Washburn
President



Nighttime Ambient Sound Level Measurements 601 Washington Avenue, Miami Beach, Florida



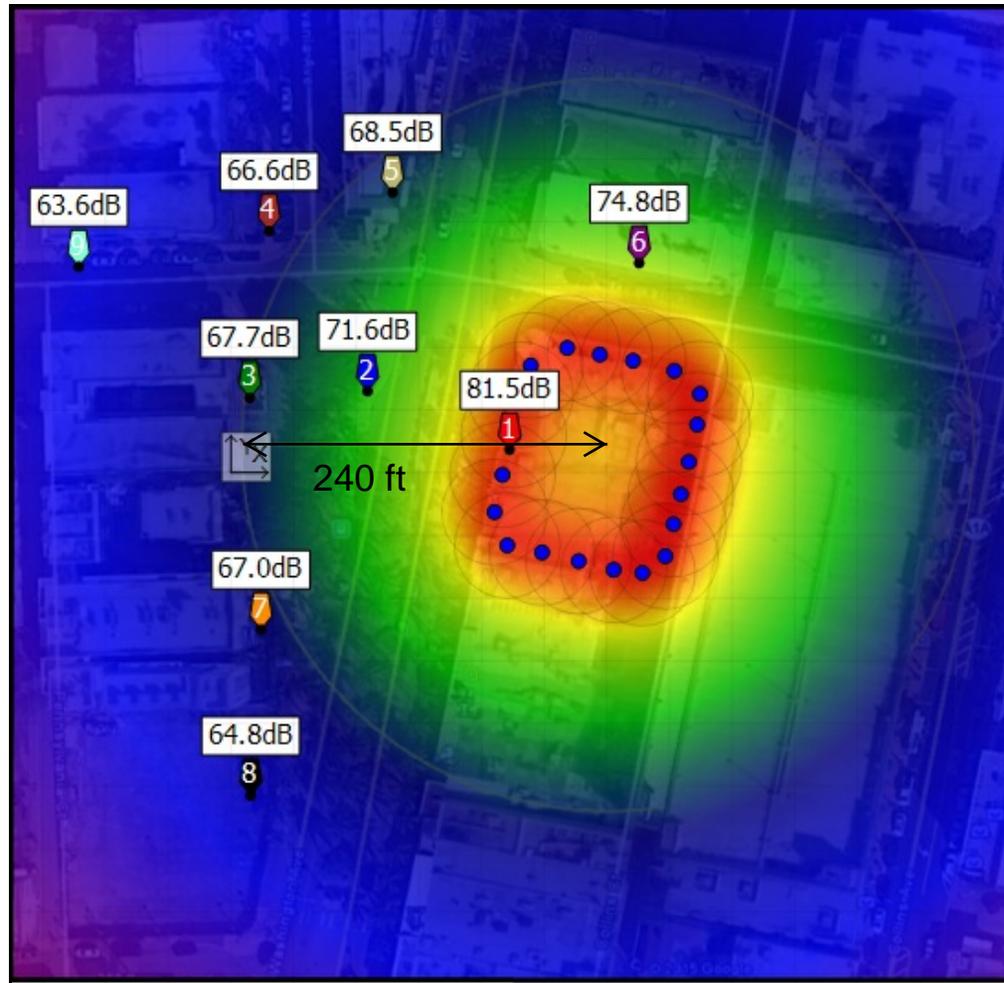
Nighttime Ambient Sound Level Measurements 601 Washington Avenue, Miami Beach, Florida



Measurement started at 11:25 p.m.



Sound Propagation Map
601 Washington Avenue, Miami Beach, Florida
(Unweighted)



Sound Propagation Map
601 Washington Avenue, Miami Beach, Florida
(Unweighted)



601 WASHINGTON AVENUE HOTEL DEVELOPMENT

WASHINGTON AVENUE
MIAMI BEACH, FLORIDA

WASHINGTON SQUARED OWNER LLC
1691 MICHIGAN AVENUE, SUITE 445
MIAMI BEACH, FL 33139

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CONCEPT STATEMENT

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VENUES

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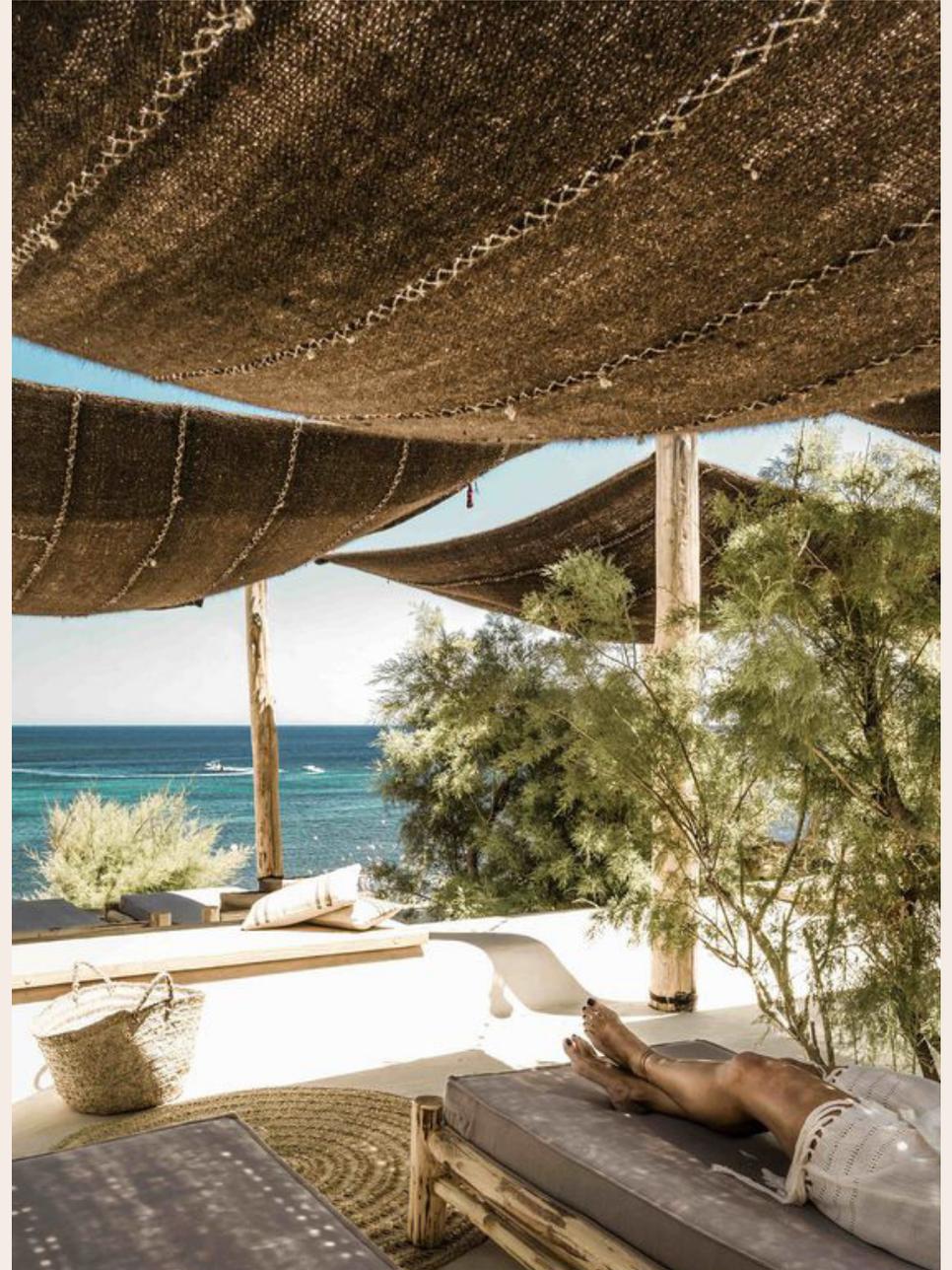
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CONDITIONAL USE PERMIT SUMMARY

**AN IDYLLIC EXPERIENCE
FROM THE MOMENT
YOU WALK IN.**

THE FOOD AND BEVERAGE COMPONENTS OF 601 WASHINGTON ARE DESIGNED TO TRANSPORT AND REJUVENATE. EFFORTLESSLY CHIC AND RELAXED IN STYLE, THE INDOOR/OUTDOOR DINING AND LOUNGE AREAS ARCHITECTURALLY EMBRACE THE PRISTINE NATURAL BEAUTY OF MIAMI BEACH. INNOVATIVE SEASONAL OFFERINGS THROUGHOUT THE DAY—FROM SMALL BITES AND COCKTAILS TO SHARED PLATES SERVED AT COMMUNAL TABLES—ENHANCE THE ARTISTIC, BOHEMIAN SENSIBILITY.

A HAVEN FOR HOTEL GUESTS, IT'S SURE TO BECOME AN INSTANT DESTINATION FOR LOCALS IN THE KNOW.

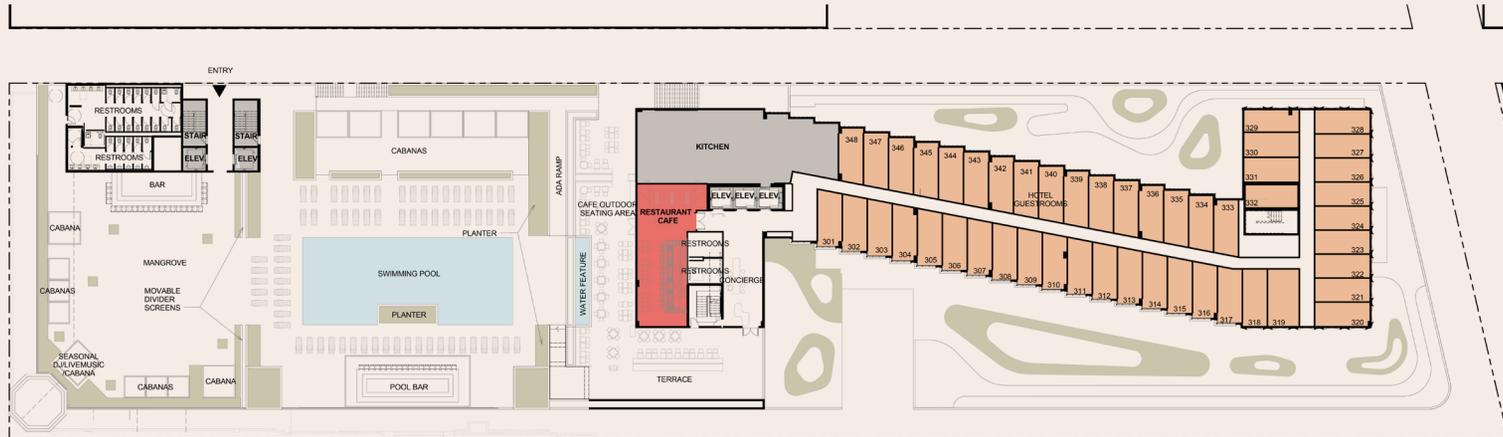


FLOOR PLANS

GROUND FLOOR



THIRD FLOOR



INDOOR RESTAURANT & OUTDOOR CAFE & INDOOR CAFE CART

OPERATOR: WASHINGTON SQUARED OWNER, LLC

EMPLOYEES: 25 FRONT OF THE HOUSE, 10 BACK OF THE HOUSE

CONCEPT: TBD

HOURS OF OPERATION: 7AM-1AM (LIMITED SERVICE THEREAFTER)

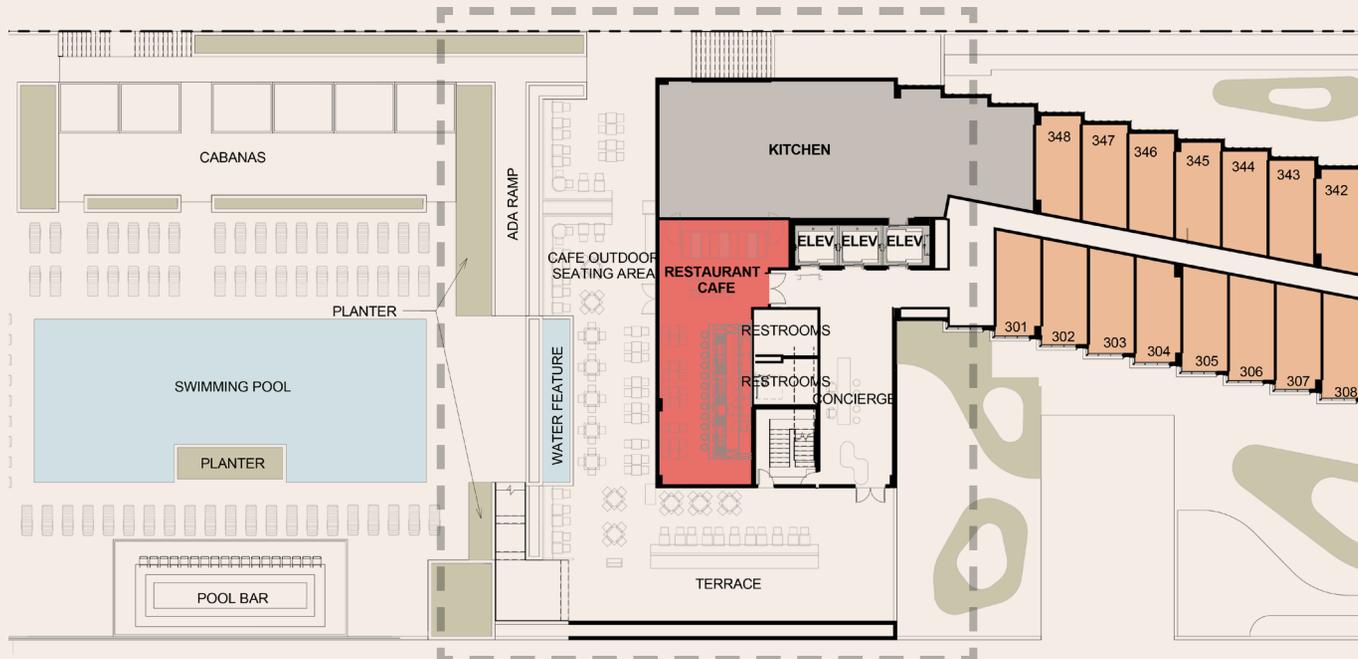
OCCUPANCY: INDOOR 76, OUTDOOR 105, TERRACE 120, CAFE CART 24

MUSIC: INDOOR (DJ/LIVE), 11AM-1AM & OUTDOOR (DJ/LIVE), 11AM-8PM

THREE MEAL RESTAURANT AND OUTDOOR CAFE SERVING BREAKFAST, LUNCH, DINNER AND LATE NIGHT BITES. ENTRY THROUGH HOTEL LOBBY OR FROM POOL DECK THROUGH TERRACE.

* POTENTIAL AFTER HOURS GRAB & GO STAND DURING LIMITED SERVICE OPERATION.

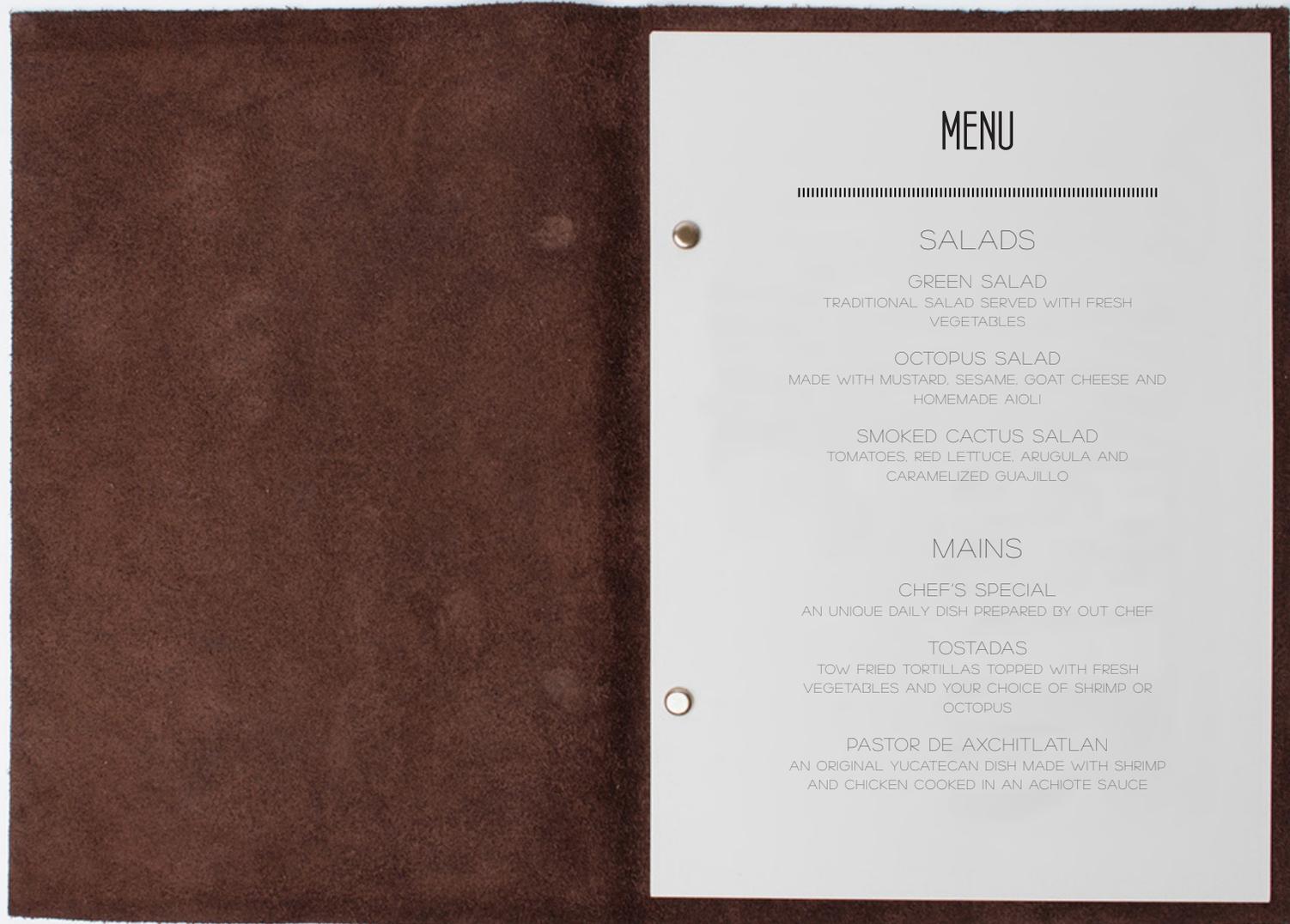
** RESTROOMS IN ADJACENT CONCIERGE AREA



INDOOR RESTAURANT & OUTDOOR CAFE

601 WASHINGTON AVENUE HOTEL DEVELOPMENT





MENU



SALADS

GREEN SALAD

TRADITIONAL SALAD SERVED WITH FRESH
VEGETABLES

OCTOPUS SALAD

MADE WITH MUSTARD, SESAME, GOAT CHEESE AND
HOMEMADE AIOLI

SMOKED CACTUS SALAD

TOMATOES, RED LETTUCE, ARUGULA AND
CARAMELIZED GUAJILLO

MAINS

CHEF'S SPECIAL

AN UNIQUE DAILY DISH PREPARED BY OUR CHEF

TOSTADAS

TWO FRIED TORTILLAS TOPPED WITH FRESH
VEGETABLES AND YOUR CHOICE OF SHRIMP OR
OCTOPUS

PASTOR DE AXCHITLATLAN

AN ORIGINAL YUCATECAN DISH MADE WITH SHRIMP
AND CHICKEN COOKED IN AN ACHIOTE SAUCE



POOL VENUE

OPERATOR: WASHINGTON SQUARED OWNER, LLC

EMPLOYEES: 10 POOL, 10 BAR.

CONCEPT: TBD

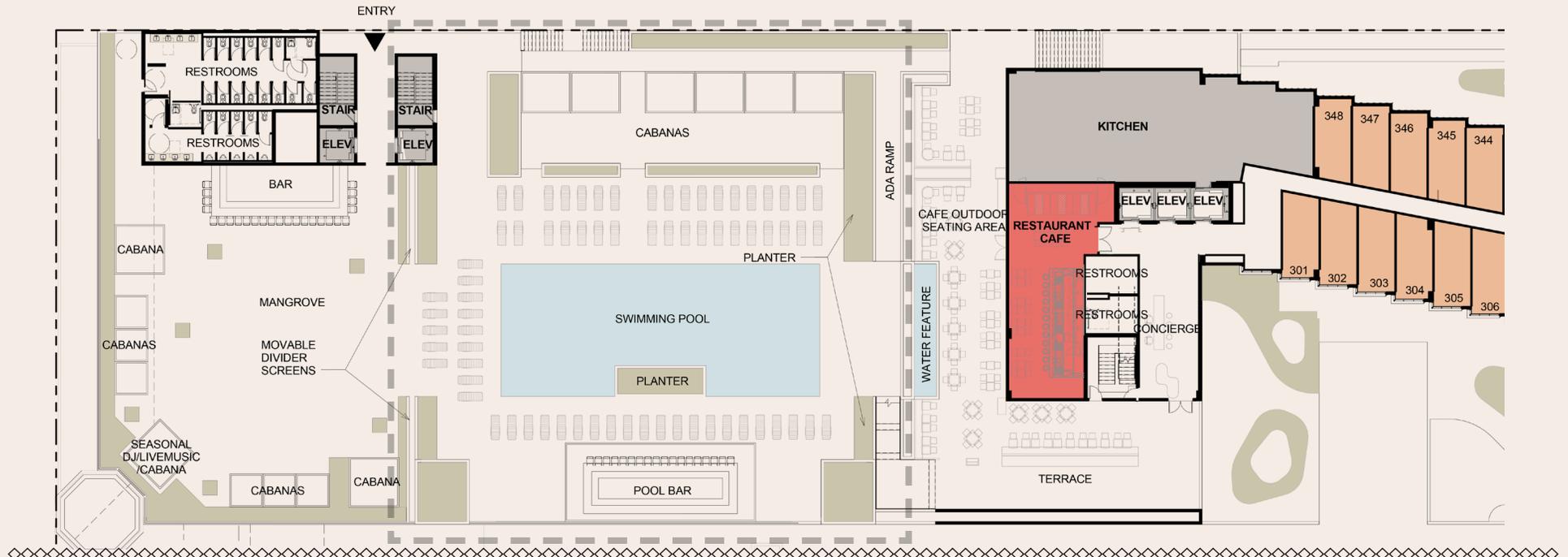
HOURS OF OPERATION: 7AM-1AM

HOURS OF ENTERTAINMENT: 11AM-8PM

OCCUPANCY: 520

MUSIC: DJ & LIVE

DESCRIPTION: THE HOTEL POOL WILL BE OPEN TO THE HOTEL GUESTS AND THE PUBLIC WITH ACCESS THROUGH THE BREEZEWAY COMING FROM WASHINGTON AVENUE OR COLLINS COURT THROUGH HOTEL RECEPTION, UP ELEVATORS TO 3RD FLOOR HOTEL LOBBY. QUEUING ON WEST END OF TERRACE. PAST POOL CHECK IN AND UP STEPS TO POOL DECK. ACCESS TO RESTROOMS AT NORTH EAST CORNER OF PROPERTY.





MANGROVE

OPERATOR: WASHINGTON SQUARED OWNER, LLC

EMPLOYEES: 25

CONCEPT: TBD

DAYS OF OPERATION: SEASONAL, WEEKEND.

HOURS OF OPERATION: 11AM-1AM

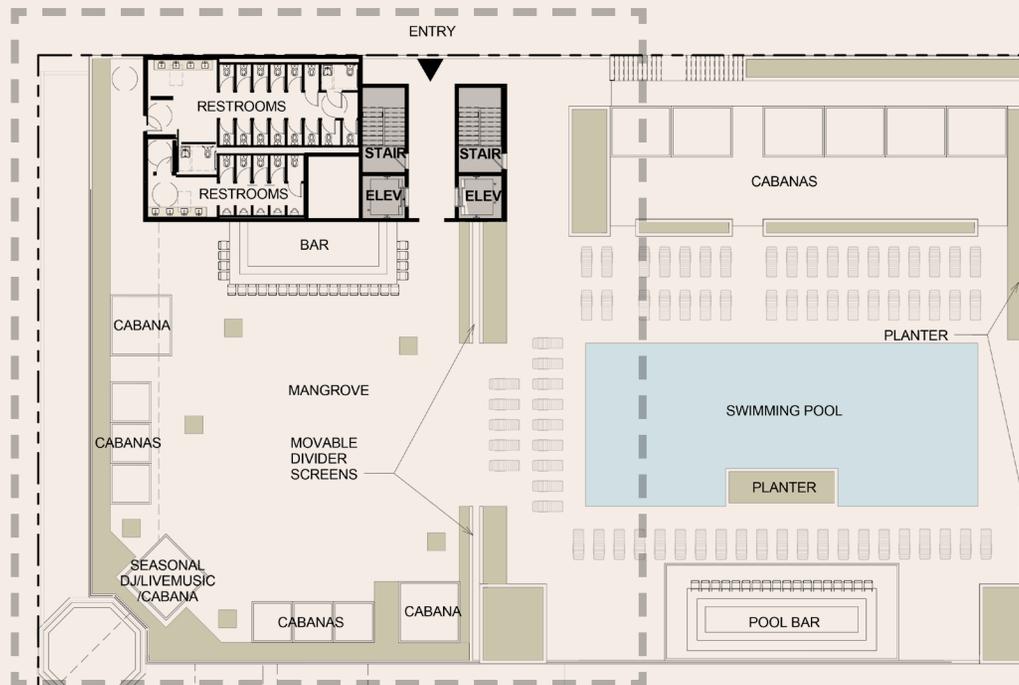
HOURS OF ENTERTAINMENT: 11AM-8PM (AMBIENT MUSIC AFTER 8PM)

OCCUPANCY: 336

MUSIC: DJ & LIVE

DESCRIPTION: A UNIQUE TYPE OF PARADISE. THE MANGROVE IS DEFINED BY ITS RESERVED VIBE AND CREATIVE PROGRAMMING. LIVE MUSIC AND ACTIVITIES SET THE STAGE FOR RELAXING WITH OLD FRIENDS AND BEING INSPIRED BY NEW ONES.

UTILIZATION OF THE SPACE: POOL EXTENSION FOR SPILLOVER GUESTS. SPACE WILL BE PROGRAMMED ON THE WEEKENDS WITH DJ/LIVE MUSIC. THE MANGROVE WILL BE OPEN TO THE PUBLIC WITH ACCESS COMING FROM COLLINS COURT THROUGH ON PROPERTY ARCADE AND UP THE ELEVATORS TO THE 3RD FLOOR AND DIRECTLY TO OPEN AIR SPACE. ACCESS TO RESTROOMS AT NORTH EAST CORNER OF PROPERTY. MOVABLE SLIDING DIVIDING SCREENS CLOSE OFF THIS AREA TO POOL.







FOOD & BEVERAGE STAFFING LEVELS - HIGH SEASON

OUTLET	FRONT OF HOUSE ASSOCIATES	BACK OF HOUSE ASSOCIATES
INDOOR RESTAURANT, OUTDOOR CAFE & INDOOR CAFE CART	25	10
POOL VENUE	10	10
MANGROVE VENUE	25	NA
TOTAL	60	20

THE EMPLOYEE COUNT AS NOTED ABOVE IS BASED ON HIGH SEASON AND HIGH OCCUPANCY AT ANY GIVEN TIME.

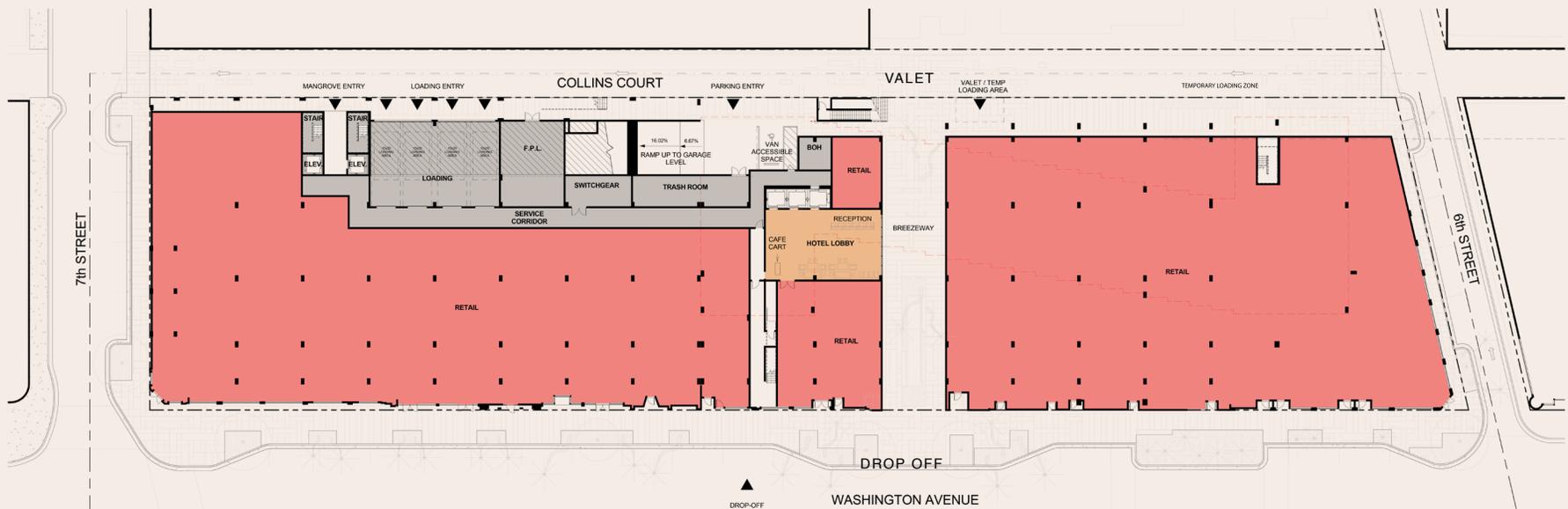
THE FOLLOWING GROUPS MAY ACCESS THE HOTEL AND PUBLIC AREAS.

HOTEL GUESTS

HOTEL GUESTS WILL ARRIVE IN THE BREEZEWAY COMING FROM COLLINS COURT OR WASHINGTON AVE. WHERE THEY MAY VALET THEIR CAR AND BE GREETED BY A HOTEL BELLMAN WHO WILL DIRECT THEM INTO HOTEL RECEPTION ON THE FIRST FLOOR. FROM THERE THEY WILL TAKE ONE OF THREE ELEVATORS UP TO THE LOBBY ON THE 3RD FLOOR WHERE THEY WILL FIND THE CONCIERGE, INDOOR RESTAURANT, OUTDOOR CAFE AND POOL ACCESS.

THE PUBLIC

RESTAURANT AND CAFE PATRONS WILL ARRIVE IN THE SAME FASHION AS DESCRIBED ABOVE FOR HOTEL GUESTS. MANGROVE PATRONS WILL ARRIVE FROM THE ENTRANCE ON 7TH AND COLLINS COURT THROUGH ON PROPERTY ARCADE AND UP THROUGH ELEVATORS TO THE 3RD FLOOR AND OPEN AIR SPACE. ANY QUEUEING TO BE ON PROPERTY AT THE ARCADE ON COLLINS COURT STARTING APPROXIMATELY 60 FEET SOUTH OF 7TH STREET.



DELIVERIES & COLLECTIONS

IN AN EFFORT TO ENSURE MINIMAL IMPACT ON LOCAL RESIDENTS, HOTEL GUESTS AND STREET TRAFFIC, THE FOLLOWING PROCEDURES WILL TAKE PLACE:

· FOOD & BEVERAGE DELIVERIES:

FOOD AND BEVERAGE DELIVERIES WILL BE RECEIVED ON COLLINS COURT THROUGH LOADING DOCK WHERE A RECEIVING AREA IS LOCATED. THE RECEIVING AREA HAS A SECURITY CHECK POINT AND RECEIVING PERSONNEL WHO WILL RECEIVE VENDORS AND VERIFY PRODUCT DELIVERIES THROUGH HOTEL OPERATIONAL PROCEDURES.

DELIVERIES WILL BE DIRECTED FROM THE HOURS OF 6AM TO 5PM. UNDERSTANDING THAT THERE MAY BE CERTAIN CIRCUMSTANCES THAT REQUIRE AUGMENTATION TO THE DELIVERY WINDOW, THE HOTEL MANAGEMENT WILL DO ITS VERY BEST TO ENSURE DELIVERIES HAVE LITTLE IMPACT ON THE ABOVE MENTIONED GROUPS.

· REFUSE & RECYCLING:

REFUSE AND RECYCLING COLLECTION WILL BE ACCEPTED FROM 8AM TO 10:30AM AT LOADING DOCK OFF COLLINS COURT. INTERNAL PROCEDURES WILL BE IMPLEMENTED BY MANAGEMENT TO ENSURE MINIMAL IMPACT IS FELT BY THE HOTEL GUESTS, LOCAL RESIDENTS AND STREET TRAFFIC. HOTEL ENGINEERING WILL BE RESPONSIBLE FOR THE MANAGEMENT OF THE REFUSE AND RECYCLING COLLECTION FOR THE HOTEL, RESTAURANT, CAFE AND MANGROVE. REFUSE RECYCLING WILL BE STORED IN DESIGNATED, SECURED AND REFRIGERATED AREA FOR PICK UP AT SCHEDULED TIMES FROM STAGING AREA IN LOADING DOCK ON PROPERTY OFF OF COLLINS COURT.

SECURITY

PURSUANT TO THE POLICIES OF THE HOTEL, ALL SECURITY WILL BE ADMINSTRATED BY HOTEL MANAGEMENT AND THE FOLLOWING MEASURES WILL BE IMPLEMENTED:

1. SECURITY WILL HAVE A 24 HOUR A DAY PRESENCE
2. SECURITY CAMERAS WILL BE LOCATED AT MAJOR ENTRANCE AND EXIT POINTS TO THE PROPERTY
3. SECURITY CAMERAS WILL BE INSTALLED TO MONITOR ALL POINTS OF SALE
4. SECURITY CAMERAS WILL BE INSTALLED IN ELEVATORS TO MONITOR GUEST FLOW
5. EXTRA SECURITY WILL BE SCHEDULED ON HIGH OCCUPANCY DAYS
6. SECURITY TO BE ASSIGNED TO POOL DECK AS REQUIRED

CONDITIONAL USE PERMIT - SUMMARY OF ACCESSORY USES

VENUE NAME	FLOOR	INDOOR/ OUTDOOR	MAX OCCUPANT LOAD	HOURS OF OPERATION	HOURS OF ENTERTAINMENT	ENTERTAINMENT	DANCE HALL LICENSE	FOOD SERVICE AVAILABLE
CAFE. RESTAURANT & CAFE CART	3	INDOOR	76	7AM-5AM	11AM-1AM	YES (LIVE MUSIC/DJ)	NO	YES
		OUTDOOR	105	7AM-1AM	11AM-8PM	YES (LIVE MUSIC/DJ)	YES	YES
		OUTDOOR	120	7AM -1AM	11AM - 8PM	YES (LIVE MUSIC/DJ)	YES	YES
		INDOOR	24	7AM - 5AM	NA	NO	NO	YES
POOL VENUE	3	OUTDOOR	520	7AM-1AM	11AM-8PM	YES (LIVE MUSIC/DJ)	YES	YES
MANGROVE VENUE	3	OUTDOOR	336	11AM-1AM	11AM-8PM	YES (LIVE MUSIC/DJ)	YES	NO
		GRAND TOTALS	1181					