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## PROJECT MEMORANDUM

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Date: 9 November 2020

To: James E. Rauh  
Partner

Greenspoon Marder  
600 Brickell Avenue, 36<sup>th</sup> Floor  
Miami, Florida 33131

From: Sam Shroyer, ASA INCE  
Edward Dugger, FAIA ASA NCAC INCE

Re: **Outdoor Entertainment Noise Study**  
**Palace Rooftop**  
**1052 Ocean Drive**  
**Miami Beach, Florida 33139**  
ED+A 201202

Mr. Rauh,

This document has been prepared by Edward Dugger + Associates (ED+A) in response to Arpeggio's Peer Review of ED+A's August 27, 2020 Entertainment Noise Study, dated September 25, 2020 and provided by the Miami Beach Planning Department on October 27, 2020. While Arpeggio commented on potential differences in ambient sound levels between Pelican Garage and the Council Towers, they also agreed with ED+A that post-installation acoustical testing is paramount to ensuring compliance with the Miami Beach Code of Ordinances. Therefore, it is still recommended that the sound levels produced by the rooftop audio system be tested and observed at locations deemed suitable by Miami Beach Planning Staff and/or Code Compliance following the installation of the audio system so that levels may be adjusted accordingly.

Please contact ED+A with any questions or comments regarding the contents of this report.



Arpeggio has recommended that the potential for lower ambient sound levels at higher terraces at Council Towers (1040 Collins Avenue), and the resulting potential for audibility of music from the Palace rooftop be addressed more fully, stating that lower ambient sound levels would be expected at the building's more elevated balconies due to increased distance from road traffic and HVAC noise.

As documented in ED+A's report, ambient sound levels on the west side of the Pelican Garage were predicted to be roughly 5 dB less than those obtained via long-term acoustical measurements due to increased distance from mechanical equipment, and subsequent analysis relating to the audibility of sound was based on ambient sound levels between 58 to 59 dBA and 68 to 69 dBC.

Compliance with the Miami Beach Code of Ordinances and potential audibility of entertainment sound generated by Palace when observed at locations throughout this building is also of primary concern to ED+A, and we find Arpeggio's sentiment to be agreeable.

However, though it is possible that ambient sound levels at balconies throughout Council Towers would be lower, it is not guaranteed. In fact, it is entirely possible that increased ambient sound levels could be observed at these locations due to rooftop mechanical equipment much nearer than Palace and ED+A's measurement location. Other rooftop mechanical equipment—particularly that at 1030 Collins Avenue, 1058 Collins Avenue, and atop other buildings fronting Washington Avenue—is within close proximity, or immediate proximity in the case of 1030 Collins Avenue, to Council Towers and could very well result in ambient sound levels well above ED+A's conservative estimate.

Regardless, neither ED+A nor Arpeggio have data to support these hypotheses and no matter the circumstances relating to ambient sound levels, both parties agree that additional acoustical testing following the installation of the proposed rooftop sound system is of premiere importance to establishing acceptable levels at Palace to adhere to the Miami Beach Code of Ordinances. ED+A has previously suggested that measurements be made at locations as informed by Miami Beach Code Enforcement or Planning Department personnel, but also agree that measurements at Council Towers would be most useful. ED+A personnel are willing to conduct this assessment, should access to the building be provided. As discussed in the Entertainment Noise Study, no changes are to occur on the ground level and the recommended testing pertains to the rooftop audio system only.