



EDWARD DUGGER + ASSOCIATES, P.A.  
Consultants in Architectural Acoustics

Date: 16 February 2018

To: Thomas R. Mooney, Director  
City of Miami Beach Planning Department  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

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

Re: **Acoustic Study – City of Miami Beach Peer Review  
Palace  
1052 Ocean Drive  
Miami Beach, Florida 33139  
ED+A 17941**

Edward Dugger + Associates, P.A. (ED+A) submitted an Acoustic Study to the City of Miami Beach Planning Department on December 11, 2017 in conjunction with Palace Bar LLC's request for a Neighborhood Impact Establishment and an Open Air/Outdoor Entertainment Establishment at 1052 Ocean Drive. This Study was reviewed by the Arpeggio Acoustic Consulting, LLC, who subsequently provided comments in the *Sound Study Peer Review for the Proposed Neighborhood Impact Establishment and Open Air/Outdoor Entertainment Establishment at 1052 Ocean Drive* document dated December 21, 2017. ED+A responded to comments in a document issued on February 7, 2018.

ED+A have prepared this document to further address concerns of Arpeggio Acoustic Consulting, LLC and the City of Miami Beach Planning Department for presentation to the Miami Beach Planning Board. Ultimately, ED+A believe that Palace will comply with the City of Miami Beach, Florida Code of Ordinances which relate to noise.

Please contact ED+A with any questions, comments, or concerns.

Regards,

A handwritten signature in black ink that reads 'Edward Dugger'.

Edward Dugger, FAIA ASA NCAC INCE  
Principal

A handwritten signature in black ink that reads 'Sam Shroyer'.

Sam Shroyer, ASA  
Consultant



## **Hours of Operation**

Dining on the front patio will end at 2:00 a.m. while indoor entertainment and dining will end at 3:00 a.m. The outdoor loudspeakers will be turned off as soon as outdoor entertainment has ended for the evening.

## **Audio System**

The indoor speakers will not be directed toward the building's exterior. Outdoor speakers will be near the bar entrance, which was measured to be 27-ft. from the eastern property line. The speakers will be located approximately 25-ft. to 26-ft. from the property line, meeting the criteria for outdoor entertainment speakers. Indoor sound will be controlled independently of outdoor sound and is expected to be contained within Palace's property. The audio system is to feature a digital signal processor capable of limiting the output of both the indoor and outdoor loudspeakers.

## **Outdoor Entertainment**

Section 46-152 of the Miami Beach, Florida Code of Ordinances states: "It shall be unlawful for any person to make, continue or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise." This is the standard which sound generation is compared to between the hours of 7:00 a.m. and 11:00 p.m. As this is a subjective standard, what is considered to be "unreasonably loud, excessive, unnecessary, or unusual" would typically be at the discretion of a Code Enforcement Officer. Thus, it has been proposed that Palace and ED+A work with Planning Staff or other City personnel at the restaurant to set an appropriate limit for sound generated by the outdoor speakers.

## **Indoor Entertainment**

After outdoor entertainment has ended at Palace, interior sound levels will be controlled by management so that they are at or below the ambient sound level at the eastern edge of the property line – where the sidewalk café starts on public property. Entertainment levels are not to extend beyond this point and the sound emanating from Palace's interior should blend in with the ambient sound environment. Data collected by ED+A on Ocean Drive consistently demonstrate that sound levels begin to decrease between 2:00 a.m. and 4:00 a.m., so no adverse impacts should occur so long as these levels are comparable to the ambient levels in the area. ED+A will assist in determining an appropriate limit which can be established at the property line with Palace in the future.