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Consultants in Architectural Acoustics

ACOUSTICAL REVIEW AND NOISE ATTENUATION PLAN

Date: 28 July 2024

To: Nicholas Noto
Attorney

Bilzin Sumberg Baena Price & Axelrod LLP
1450 Brickell Avenue, 23rd Floor
Miami, Florida 33131

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

Re: **Project Review and Noise Attenuation Plan**
Andaz – Interior and Exterior Renovation
4041 Collins Avenue
Miami Beach, Florida 33140
ED+A 241553

Mr. Noto,

Edward Dugger + Associates (ED+A) has prepared the following report for submission to the City of Miami Beach Planning Department in conjunction with Golden Palms, LLC's (the Applicant) application for a Conditional Use Permit for a Neighborhood Impact Establishment to include Outdoor Entertainment (the CUP) for the future Andaz Hotel at 4041 Collins Avenue in Miami Beach, Florida. The property was previously the site of the Miami Confidante Hotel, which is currently being renovated into the Andaz Hotel.

The Applicant is requesting that an existing CUP for the property be modified to include five venues with entertainment. With the limited exceptions of the Pool, during private hotel events and the Andaz Lounge, venues will feature music at background levels only and will operate until 3:00 a.m., which is consistent with existing CUP criteria. Indoor venues will stay open until 5:00 a.m. but is not expected to have any notable sound-related impacts on the surrounding area. The exterior areas are surrounded by building structures on the west, north, and south boundaries that will act as shielding for sound which would otherwise emanate from the property. Each venue will have its own independent audio system providing effective control, management, and monitoring of the sound levels produced in the various areas to allow for compliance with Miami Beach, Florida Code of Ordinances Subpart B – Land Development Regulations (the Code) and City of Miami Beach Planning Staff requests.

Please contact ED+A with any questions or comments regarding this document.

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SUMMARY

ED+A has visited the project site, assessed ambient sound levels on the site via long-term acoustical measurements, and has reviewed architectural, audiovisual, and conceptual design drawings in conjunction with Andaz’s operational plans to evaluate the compatibility of the proposed Andaz project with the surrounding area and its potential compliance with existing and proposed CUP criteria. This document is also meant to serve as a Noise Attenuation Plan addressing sound management to comply with requirements of with Section 7.5.5.4 Entertainment Establishments of the Miami Beach Resiliency Code and City of Miami Beach Planning Staff requests. Several of these principles had already been incorporated into the system designs prior to ED+A’s involvement in the project. Other suggestions are provided where applicable. ***The implementation of these mitigating features—in conjunction with architectural and operational aspects of the project—will allow for compatibility with the surrounding area and compliance with proposed and existing CUP criteria, as well as the Code.***

INTRODUCTION

Golden Palms, LLC (the Applicant) is seeking a Conditional Use Permit for a Neighborhood Impact Establishment to include Outdoor Entertainment (the CUP) concerning multiple venues at Andaz—a renovation of the former Miami Confidante Hotel—located at 4041 Collins Avenue Miami Beach, Florida—the former site of the Miami Confidante Hotel. The property is situated along the Atlantic Ocean between 40th Street to its south and 41st Street to its north. The project location is identified on Sheet A-1.00 of EOA, Inc.’s July 7, 2024 “Conditional Use Permit Set – Interior and Exterior Renovation,” which has been included with this document.

The site and surrounding properties—including hotels to its north and south, and apartment/condominium buildings west of Collins Avenue—are located within a “residential multifamily, high intensity” (RM-3) zoning district and the “Collins Waterfront Historic District.” Accordingly, ED+A has assessed the proposed project for compatibility with relevant City of Miami Beach, Florida Code of Ordinances criteria and Section 7.5.5.4 of the Miami Beach Resiliency Code.

PROPOSED OPERATIONS

The Applicant's request for a Conditional Use Permit includes five different areas of the property, some of which include both indoor and outdoor components. All but the outdoor portion of Bazaar will feature entertainment—including live music, DJs, and/or prerecorded music) at varying times, but at background levels that would not interfere with normal conversation. Sheets A-2.01 and A-2.02 of EOA, Inc.'s July 7, 2024 "Conditional Use Permit Set – Interior and Exterior Renovation," identifies the individual venue areas and has been included with this document.

Proposed Venues

The following subsections detail information the Applicant has provided regarding the proposed operations of the venues which are to be included in the CUP.

3-Meal Restaurant ("Venue 1")

- Total Occupancy: 149
- Hours of operation: 6:00 a.m. to 2:00 a.m. (indoor and outdoor)
- Full-service restaurant with approximately 168 seats (66 indoor and 102 outdoors), which shall be permitted to serve breakfast, lunch and dinner until 2:00 a.m.
- Will feature background music, which may include live music, at ambient sound levels that do not interfere with normal conversation.

Bazaar ("Venue 2")

- Total Occupancy: 279
- Full service indoor/outdoor restaurant with approximately 200 interior seats which may serve lunch or dinner until 5:00 a.m.
- Entertainment is to be permitted in the interior restaurant.
- The outdoor portion of Venue 2 includes 12 exterior seats and will operate until 3:00 a.m. Music generated in Venue 2—including that resulting from entertainment—will be limited to background sound levels that do not interfere with normal conversation.

1930's House ("Venue 3")

- Total Occupancy: 334
- Venue 3 will be a bar/lounge containing approximately 50 seats inside. Entertainment in Venue 3's interior is expected to continue until 5:00 a.m.
- The outdoor patio and lawn area includes approximately 122 seats which will feature music at background sound levels—including live music that will not interfere with normal conversation.
- The outdoor portion of the venue is to operate until 3:00 a.m.

Pool ("Venue 4")

- Total Occupancy: 912
- The venue includes approximately 251 outdoor seats in the rear property area. Food services will be provided during all operating hours.
- During regular operational conditions, only background level sound will be permitted, for both prerecorded and live music.
- The hotel may host special events, such as corporate gatherings, weddings, conferences, etc. Entertainment during these events is intended to exceed background sound levels. However, sound levels produced by the audio systems will be reduced to typical background levels at 11:00 p.m. on these days.

Andaz Lounge ("Venue 5")

- Total Occupancy: 389
- Venue 5 includes a lounge area, and an exterior terrace and promenade which overlook the pool areas and other outdoor spaces from the west.
- These areas are located on the second floor of the hotel and together will contain approximately 127 seats—39 interior and 88 exterior seats.
- Entertainment, including live music, is to be permitted for both areas, but after 11:00 p.m., the exterior portion shall only be permitted to produce sound at background levels until the exterior area is closed at 3:00 a.m. The indoor component of the venue will remain open with entertainment until it's closing at 5:00 a.m.
- Food service will be provided during operating hours.

Discussion

Most of the hotel's exterior space is surrounded by its various building structures, which obscure sightlines between the entertainment areas and adjacent streets or neighboring properties. However, Miami Beach Planning Staff has suggested that Miami Beach's standard for sound generated at nighttime—that sound must not be plainly audible at 100 ft beyond the source property's boundary—apply to the hotel property at all times. The adjacent properties north and south of the project site are less than 100 ft from its boundaries, so the venues must prevent sound-related impacts to the adjacent hotel properties. Furthermore, the venues will also not operate in a manner which might generate complaints from hotel guests.

This may most effectively be accomplished through efforts to contain the sound within the property. The configuration of multiple buildings provides structural barriers which will reduce the level of sound emanating from the outdoor area. Sound can be further controlled and contained via attentive audio system design, installation, and regulation,

in conjunction with diligent management of the system controls and operations on a continuous basis.

Entertainment in the exterior areas will not continue beyond 3:00 a.m., but proposed entertainment times vary between venues, as detailed above. Ambient/background music (produced and maintained at levels which will not interfere with normal conversation) will be provided during all operating hours outside of entertainment periods. All areas may not necessarily be active at all times. Activities, entertainment, and music, etc. will be managed so their operations do not interfere with that of another.

Sound System Design

Audio systems designed for the proposed venues are detailed in the April 3, 2024 "Sound System Installation" drawing set, prepared by LVW Electronics. Symetrix Prism digital signal processors (DSP's) will be used for the routing, distribution, management, and control of the audio systems. Each venue will have their own dedicated system zone, allowing for their settings to be adjusted independently of the others. Output limits should be configured and set to appropriate levels by the system designer and/or installer during installation via specialized software accessible to these parties only. Wall-mounted panels are included in the design to allow for adjustments below the preconfigured limits and should be made accessible to management, engineering staff, and ownership only. System settings and output levels are continuously logged and may be monitored in real-time on screens installed in the equipment racks. Loudspeakers are distributed along the perimeters of and facing inward toward the individual venues, which will allow for even coverage and consistent sound levels throughout the venues without impacting other venue operations or areas outside of the property.

The following system components are identified throughout the plans:

- APC SCL500RM1U Uninterruptible Power System
- James 62ASX Loudspeaker
- James EMB-10-70-M Subwoofer
- James EMB-12-70-M Subwoofer
- James OT88Q Loudspeaker
- James QX620 Loudspeaker
- James QX1010 Subwoofer
- James QX1020A Subwoofer
- JBL Control 23-1 Loudspeaker
- LEA Connect 704 Amplifier
- LEA Connect 1504 Amplifier
- Middle Atlantic PD-920RC-20 Power Distribution
- Symetrix ARC-PSE ARC Power Supply

- Symetrix Prism 8x8 Digital Signal Processor
- Symetrix Prism 12x12 Digital Signal Processor

ACOUSTICAL MEASUREMENTS

ED+A conducted long-term acoustical measurements on the site. The system was installed and retrieved by Sam Shroyer of ED+A on June 14, 2024, and June 21, 2024, respectively. Sound levels were measured on a fourth-floor balcony on the southwest side of the building over several days. The system logged data from June 14, 2024, to June 19, 2024. The measurement microphone was roughly 5 ft above the floor surface and was near enough to wall/glazing surfaces to be affected by reflected sound, likely increasing measured sound levels by up to 3 dB (see Figure 1). The system was calibrated before its installation and prior to its removal from the site. Details specific to the measurement and calibration devices used for these measurements are included in Table 1.



Figure 1. ED+A equipment on 4th floor balcony near the southwest corner of the building.

Table 1. Measurement Equipment			
Manufacturer	Model	Serial Number	Laboratory Calibration
Brüel and Kjær	Type 2250-L Analyzer	3030839	March 14, 2024
Brüel and Kjær	Type 4952 Outdoor Microphone	2788753	February 1, 2024
Brüel and Kjær	Type 4231 Sound Calibrator	2394124	September 28, 2023



A-weighted equivalent-continuous sound levels were measured in fifteen-minute and one-hour intervals. A-weighted percentile-exceeded sound levels (L_{A10} and L_{A90}) were measured and evaluated for the same observation periods. A-weighted levels were assessed as the A-weighting network corresponds best with human sensitivity to sound for most community noise assessments. Measured one-hour sound levels were evaluated to characterize the existing sound environs at the measurement location through calculation of day-average sound levels (L_{Ad}), night-average sound levels (L_{An}), and day-night average sound levels (DNL) for each day of the measurement period per ANSI S12.9 Part 4. The time intervals between midnight and 7:00 a.m. and between 10:00 p.m. and midnight were considered night while the day period consisted of the time between 7:00 a.m. and 10:00 p.m. DNL is often used to evaluate community noise following American National Standards Institute (ANSI) standards-particularly the ANSI/ASA S12.9 series, which detail procedures for the measurement and assessment of environmental sound. Like L_{Aeq} , DNL is a time-average sound level measured over a twenty-four-hour period, but with a 10 dB “penalty” applied to sound levels measured during night periods (between 10:00 p.m. and 7:00 a.m.) to account for increased sensitivity to sound during these hours. ‘

A comparative sound level chart has been included for reference purposes (see Figure 2).

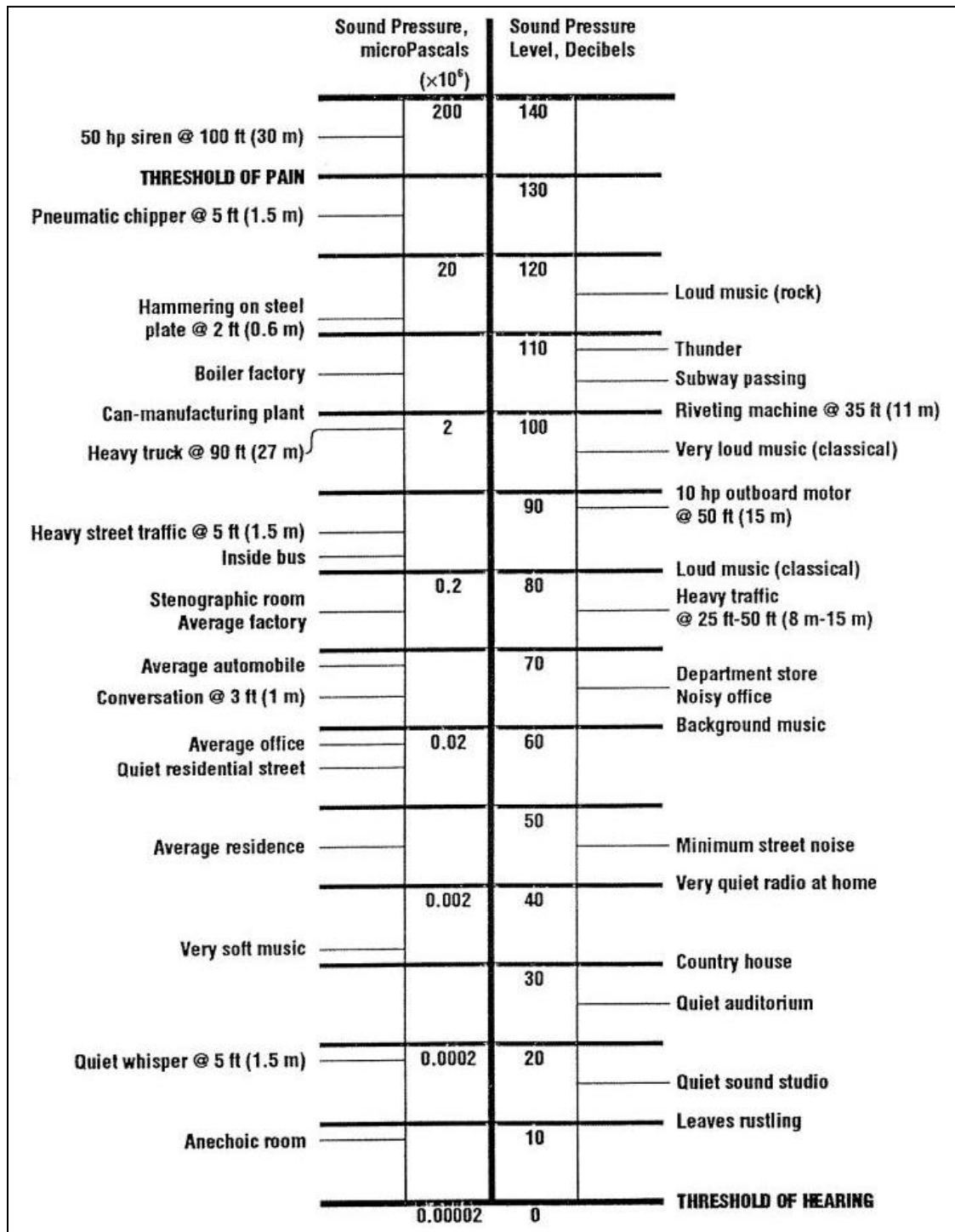


Figure 2. Decibel level comparison chart.

* Reprinted from *Acoustics and Noise Control Handbook for Architects and Builders*, by L. K. Irvine and R. L. Richards, 1998, Malabar, FL: Krieger Publishing Company. Copyright by L.K. Irvine and R.L. Richards.

RESULTS

One-hour L_{Aeq} have been compiled with daily L_{Aeq} , L_{Ad} , L_{An} , and DNL calculated for each day in Table 2. One-hour L_{Aeq} logged over the entire measurement period are also plotted in Figure 3. Fifteen-minute L_{Aeq} logged over each day of the measurement period are plotted in Figures 4 through 9.

Sound levels were mostly stable for most of the measurement period—particularly on weekends. On June 17 and June 18, 2024, sound levels fluctuated continuously throughout the day, likely due to construction activity on the site. Lower levels—similar to those measured on other days of the measurement period—would be expected for future conditions. The measured sound levels are mostly at or above 65 dBA for continuous periods of time. This is likely due to the operation of mechanical equipment on the rooftop of one of the neighboring buildings. Sudden decreases in measured sound levels—typically observed between roughly 2:00 a.m. and 5:00 a.m. (see Figures 6 and 7) are likely more indicative of the true residual sound level (i.e., the baseline) in the area. The documented sound levels are consistent with those measured by ED+A throughout Miami Beach over several years.

Table 2. Time-Average Sound Levels						
Hour / Period	Fri 14-Jun	Sat 15-Jun	Sun 16-Jun	Mon 17-Jun	Tue 18-Jun	Wed 19-Jun
0000		66	66	65	66	66
0100		65	66	65	62	65
0200		65	65	63	61	65
0300		65	63	60	61	65
0400		65	60	63	61	65
0500		67	66	64	63	
0600		67	66	67	65	
0700		66	65	69	66	
0800		69	65	68	69	
0900		69	66	71	70	
1000		66	66	68	67	
1100		67	72	68	66	
1200		67	68	71	70	
1300	68	66	66	73	67	
1400	67	66	66	67	70	
1500	69	72	67	67	68	
1600	69	66	66	67	67	
1700	66	66	66	67	67	
1800	66	66	66	67	66	
1900	66	66	66	67	66	
2000	66	66	66	66	66	
2100	66	66	66	67	66	
2200	66	66	66	67	66	
2300	66	66	66	66	66	
L _{Aeq}	67	67	66	68	67	65
L _{Ad}	67	67	67	69	68	
L _{An}	66	66	65	65	64	65
DNL	71	73	72	72	71	75

Figure 4. One-Hour Sound Levels
June 14, 2024 - June 19, 2024

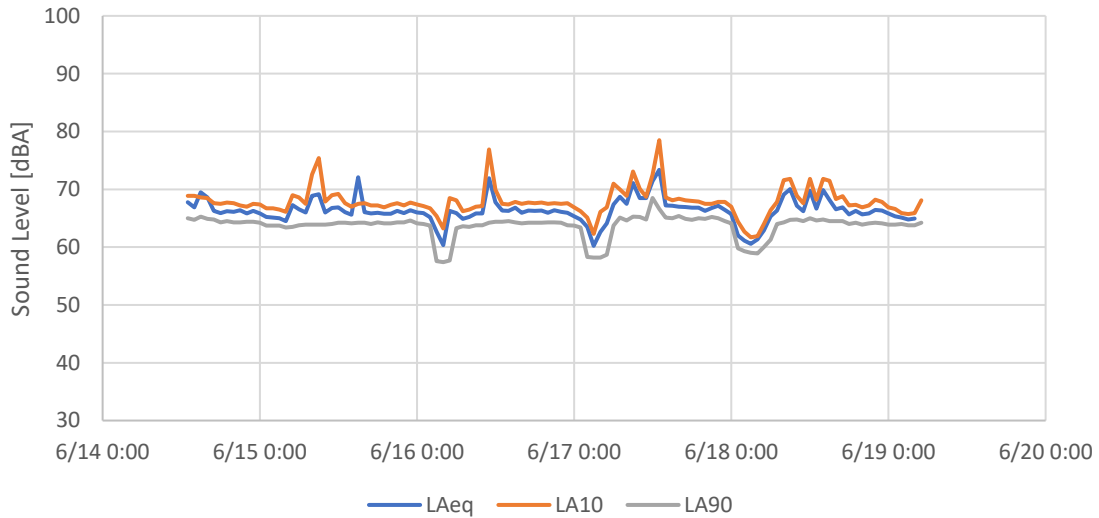


Figure 5. Fifteen-Minute Sound Levels
June 14, 2024

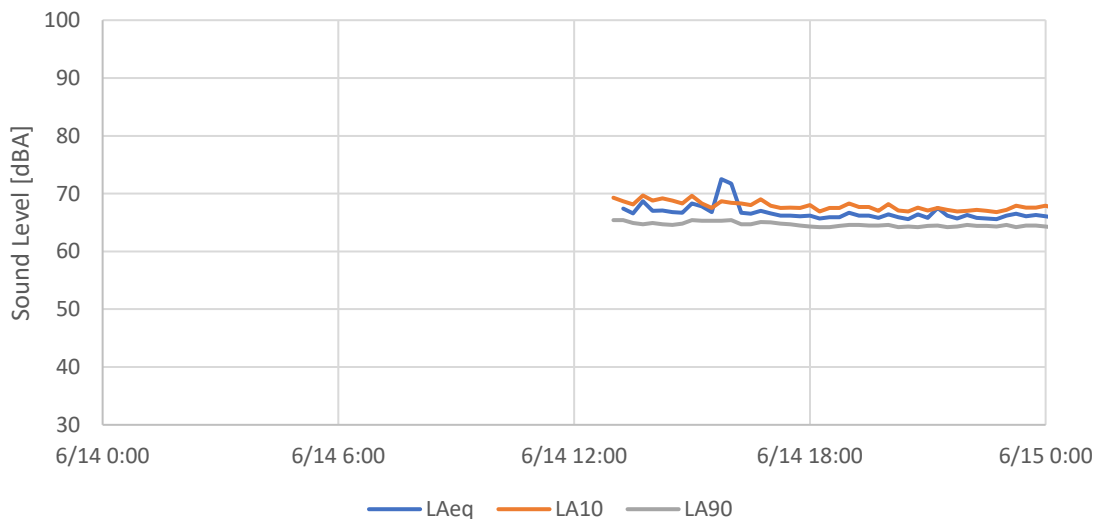


Figure 6. Fifteen-Minute Sound Levels
June 15, 2024

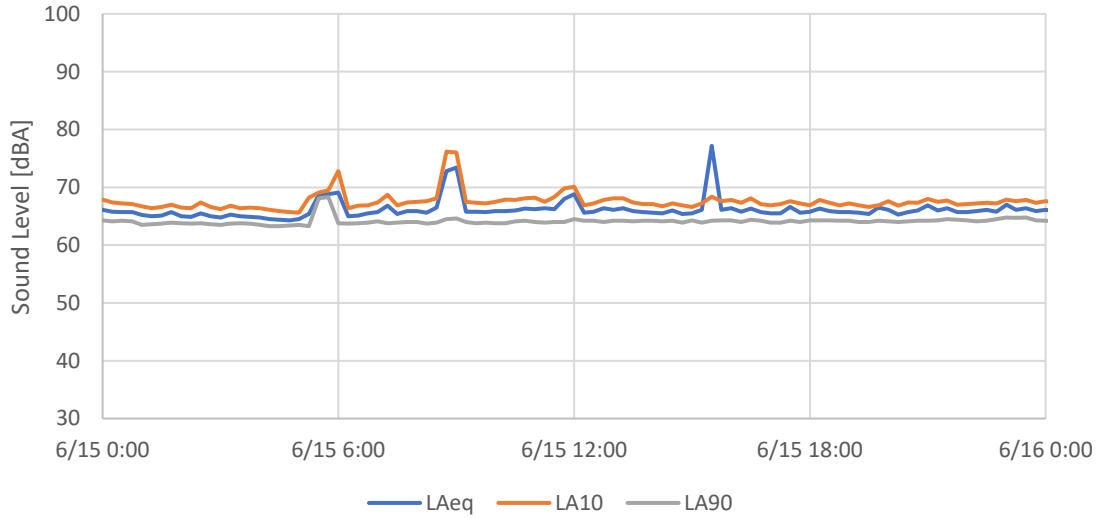


Figure 7. Fifteen-Minute Sound Levels
June 16, 2024

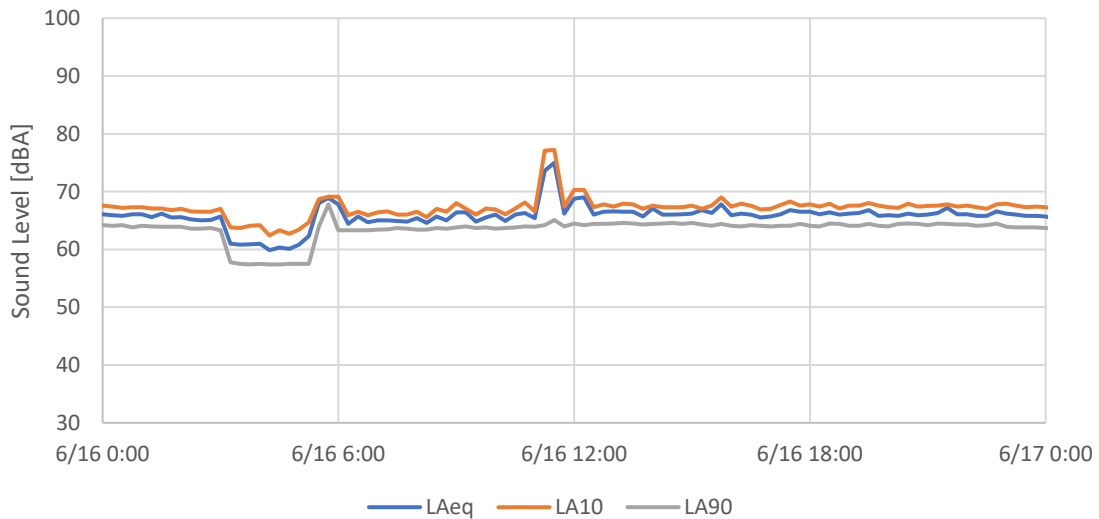


Figure 8. Fifteen-Minute Sound Levels
June 17, 2024

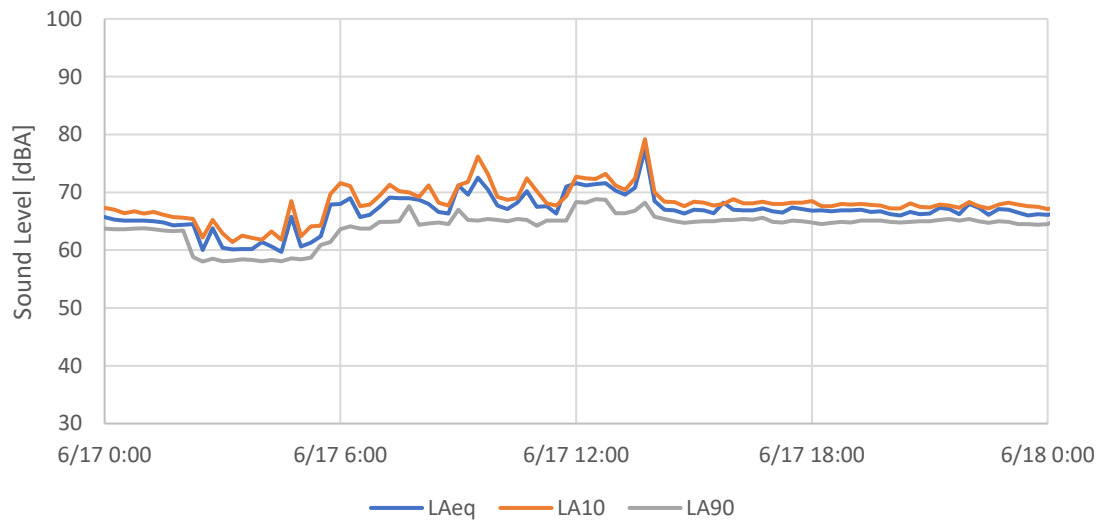


Figure 9. Fifteen-Minute Sound Levels
June 18, 2024

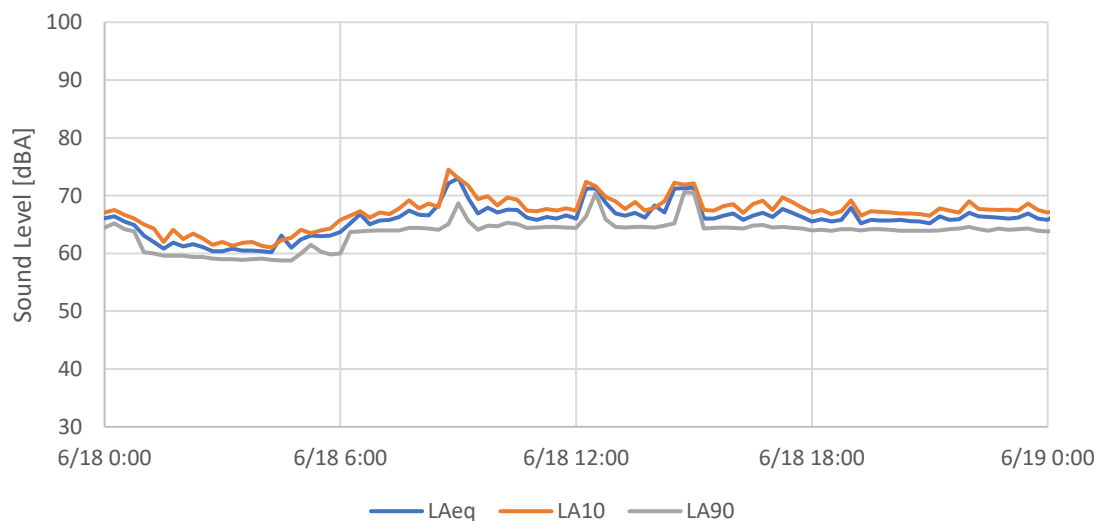


Figure 10. Fifteen-Minute Sound Levels
June 19, 2024

