

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

VICE CHAIR

- Zoning, Neighborhoods and Development



MEMBER

- Finance and Personnel Committee
- Library Board
- Neighborhood Improvement Development Corporation Board
- Special Joint Committee on the Redevelopment of Abandoned and Foreclosed Homes
- Steering and Rules Committee
- Wisconsin Center District Board

MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

March 17, 2022

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 210787

Attached are written objections to file number 210787, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to a recommendation of:

Renewal, with a 30 (thirty) day suspension, based on the police report, neighborhood, applicant and aldermanic testimony of the Class B Tavern, Food Dealer and Public Entertainment Premises licenses for Jesse Fonseca for the premises located at 5108 W. Bluemound Rd. ("Caliente Latin Kitchen & Rum Bar") in the 10th aldermanic district.

These matters will be heard by the full Council at its Tuesday, March 22, 2022 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

A handwritten signature in black ink that reads "Milele A. Coggs".

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 210787





March 16, 2022

Nicole A. Flemming
414.763.5952
nicole.flemming@jbentrepises.com

CITY OF MILWAUKEE
2022 MAR 16 PM 3:25
CITY CLERK'S OFFICE

Milwaukee Common Council
Licensing Committee
City Hall
200 E. Wells Street, Third Floor
Milwaukee, WI 53202

RE: Objection by Caliente Latin Kitchen & Rum Bar, LLC
Subject Property: 5108 W. Bluemound Rd.

Dear Council Members,

This firm represents Caliente Latin Kitchen & Rum Bar, LLC (Agent – Jesse Fonseca) as it relates to the above referenced matter. We are in receipt of the Report of the Licensing Committee relating to the committee’s hearing and findings. This letter and packet are being submitted in order to preserve my client’s objections to the committee’s findings and to reserve my client’s right to present oral arguments to the general common council at the upcoming hearing.

Pursuant to MCO 85-2.7-4 and my client’s general Due Process Rights in accordance with the 14th Amendment of the United States Constitution; 15 U.S.C. §1 and 2; 15 U.S.C. § 12; 15 U.S.C. § 45; 42 U.S.C. § 1983; Wis. Stat. § 68.06 and Wisconsin’s “overarching principles of no trial by ambush, *see 260 North 12th Street, LLC et al. v. State of Wisconsin Department of Transportation*, 2010 WI App 138; my client submits this formal objection to the committee’s deliberations on this matter on due process grounds and determination to suspend the application for a new license for thirty (30) days.

As you know, pursuant to all relevant provisions of MCO 85-4-4, a license may be suspended based on the following probative evidence: (1) whether the applicant meets the municipal requirements; (2) pending charges against or convictions related to the particular licensed or permitted activity; and (3) whether there are public or private nuisance or the source of congregations of persons which reasonably relate to public health, safety, and welfare of the public. Furthermore, MCO 85-2.7-5 explicitly states that factors **not** to be considered for recommendation includes the type of music or content of the music.

At the hearing held on Tuesday, March 8, 2022, no witnesses were registered on roll call to address my client’s application; however, witnesses that were present to object to my client’s current occupant’s operation of the premises were called to address the applicants request for a renewal of license. This was out of order and therefore violated the basic fundamentals of due process. In

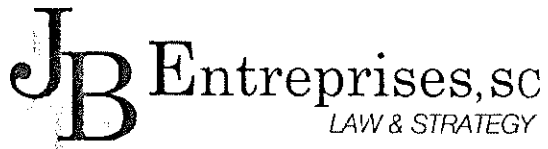
addition, other tenants of the law were also violated. None of the witnesses were properly sworn in as this meeting's recording is inaccessible online so no video images of the witnesses could be seen, the hearing was via zoom where only some speakers showed their faces, and due to this none of the witness's credibility could be evaluated pursuant to the applicant's right to confront and cross examine witnesses.

Following the hearing, the committee recommended a 30-day suspension based upon police reports which only contain a noise complaint and an underage tavern complaint, both of which were baseless. Furthermore, the committee based their decision on neighborhood testimony, however, the committee never considered the e-mail or phone call that was received by the Alderman's office in support of my client's business and operations, nor were these documents included as a part of the record, even though all e-mails and correspondence in objection to my client were included in the record.

Pursuant to MCO 85-2.7-4, the recommendation of renewal is to be based upon evidence presented at the hearing, however, there is no indication in the record that those in support of my client's business were informed of the hearing allowing them an opportunity to be heard. The record clearly indicates that the few neighbors who testified in opposition to my client's business operations based their testimony on impermissible hearsay, specifically speculation and factually unsupported opinion testimony.

According to MCO 85-4-6, when the committee recommends a license be renewed with a period of suspension, the suspension is to be between 10 days and 90 days. Although the initial determination is within this timeframe, this is my client's first and only complaint he has had while operating Caliente. The primary complaint across many neighbors is the loud noise and sounds of drums, specifically during times that are after their hours of operation. Although it is within the council's authority to recommend a 30-day suspension, it would have been more appropriate to issue a warning letter to my client prior to any suspension.

As indicated by my client at the initial hearing, the issues of concern are being remedied and are outlined in the attached packet of information. The packet includes letters in support of my client, a biography of my client, a letter hand delivered to all neighbors from my client, and the CV and report from our sound engineer. The steps that are being taken include implementing coverings over the windows on the west side of the building to help prevent sound from the building to carry to any neighbors; changes in speakers that do not have a bass in them; an open communication line with neighbors to provide them with time to meet with my client monthly to express any concerns; changes in when my client closes his business and suspension or termination of non-compliant employees; and continuing to keep the trash receptacles closed at all times, among others.



In addition to ordinances and applicable law not being followed, my client is a long standing successful business owner in Milwaukee County. Not only does my client own and operate Caliente, but also Sabor Tropical and a food truck both located in Bay View. Not only have his businesses won many awards from national news reporters, but our own Milwaukee Brewers fully support and enjoy the Latin cuisine of both Caliente Latin Kitchen and Sabor Tropical. The Brewers have renewed their agreement with my client to continue to cater for the Brewers for the 2022 year, not only due to the food but also the close proximity of the restaurant to the stadium.

The committee's recommendation of a suspension of license for 30 days failed to comport with recognized and applicable standards of law and was not supported by credible evidence.

If you have any questions, comments, or concerns, please do not hesitate to contact our office.

Very Truly Yours,
JB ENTREPRISES, S.C.

\s\ Nicole A. Flemming

Nicole A. Flemming
Associate Attorney

NAF

Brewers

Good morning Jesse,

Well now that the new CBA has been signed I am excited to work with Sabor Tropical & Caliente Latin Kitchen. Since we have a high population of Latin players I would like to use you as a caterer again for the 2022 season. Your food is some of the best Latin cuisine in the city of Milwaukee.

Caliente's close proximity to the stadium makes it an easy choice for a caterer since any issues can easily be dealt with, not that we have any. I know the team loved your cooking last year and we are very lucky to have a such great Latin food in our city. Thanks and I look forward to working with Sabor & Caliente again this year.

Go Brewers!

Joseph



JOSEPH LISOWSKI

Milwaukee Brewers Baseball Club
Team Chef - Home Clubhouse

Joseph.Lisowski@brewers.com • 414-902-4648

American Family Field • One Brewers Way • Milwaukee, WI 53214

BREWERS.COM [TICKETS](#)



315 West Court Street,
Milwaukee, Wisconsin 53212
(414) 271- 2656

03/15/2022

To: Aldermen

Re: Caliente Latin Kitchen & Rum Bara 5108 W Blue Mound Rd, Milwaukee, WI 53208 · (414) 763-9447

From: The Milwaukee LGBT Community Center

As a local non-profit for the LGBTQIA+ Community of Wisconsin, I would like to express my (strong) support for Caliente Latin Kitchen & Rum Bar. Caliente has been an Allie towards the LGBTQIA+ community for years.

With members of our community working at Caliente Latin Kitchen, closing them down will affect them not getting paid (tips, etc.) This is their livelihood, and they depend on Caliente Latin Restaurant to pay their bills. Our center was approached by our community to ask you to reconsider suspending Caliente Latin Kitchen.

We propose the following:

1. Have a town hall meeting. Invite the neighbors to an open discussion at the restaurant on how to resolve the problem.
2. Aldermen should act as a mediator (people's livelihood, etc.).
3. How can we support all involved to come up with a solution?

If you have any questions or concerns, please contact at 414 271 2656 ext. 101

Respectfully,

Kevin J. Turner

Interim Executive Director

Office: (414) 271-2656 ext. 101

Cell: (414) 559-7785

Email: kturner@mkelgbt.org

Address: 315 West Court Street, Milwaukee, WI, 53212

Website: <https://www.mkelgbt.org>

Jesus Murillo-Lizama
1532A S 9th Street
Milwaukee, WI 53204

March 14, 2022

Honorable Members of the Common Council
City of Milwaukee
200 E Wells
Milwaukee, WI 53202

Dear Honorable Members of the Common Council :

I would like to write in support of Caliente Latin Kitchen & Rum Bar, located at 5108 West Bluemound Road.

I have known Hernan Castillo for over 16 years while I would volunteer for the Council for the Spanish Speaking Thanksgiving Food Drive. Hernan was in charge of picking up the food from schools and I would ride with him and also sort and pack boxes along with many other volunteers.

I have known Jesse Fonseca for about 6 years. He has hosted an Autism basketball fundraiser against the City of Milwaukee, and has done other events supporting the Latino Community.

My wife and I have been to Caliente Latin Kitchen & Rum Bar for a few date nights and have been there to enjoy the wonderful food with our children. While we could have chosen other locations for our date nights, we chose to go there because of the friendly atmosphere. We were not looking to go out to clubs, but rather to sit, enjoy good food, drinks and each other's company. It has always been a pleasant time, owners have been on site when we were there and making all their patrons feel welcomed.

We look forward to return to Caliente soon but unfortunately they are looking into a 30day suspension and were not granted a warning for being their first time coming before the Council.

Should you have questions or concerns, please feel free to contact me.

Sincerely,

Jesus Murillo-Lizama

Nicole Flemming, JD

From: Jesse Fonseca <calientemke@yahoo.com>
Sent: Tuesday, March 15, 2022 3:59 PM
To: Nicole Flemming, JD
Subject: Fw: Caliente latin kitchen hearing

----- Forwarded Message -----

From: David Dorger <daviddorger11@gmail.com>
To: "calientemke@yahoo.com" <calientemke@yahoo.com>
Sent: Tuesday, March 15, 2022, 03:46:29 PM CDT
Subject: Fwd: Caliente latin kitchen hearing

----- Forwarded message -----

From: David Dorger <daviddorger11@gmail.com>
Date: Sat, Mar 5, 2022, 7:33 PM
Subject: Caliente latin kitchen hearing
To: <mmurph@milwaukee.gov>


Hi Ald. Murphy.

I am sending this email out of concern for one of the great businesses in our district. I recently received a letter regarding a license request by Calientes Latin Kitchen and have also been made aware of a local resident who himself has strong personal feelings about this establishment and in particular the kind of music played there. His concern cannot be the volume of the music as nobody but him has ever complained about it and other establishments regularly play music at a much louder volume. This person has spoken to numerous residents, many of whom have never been in or near calientes and has asked them to speak to you against their license request. I have been a regular customer since they opened and it is a great place for families and children to eat and enjoy themselves. It is a tremendous asset to our district and brings people from all parts of town here which is great not only for our districts economy but more importantly our districts reputation as a great, safe Place where all are welcome. As a tax paying, voting member of this district, I strongly encourage the approval of this license. Thank you kindly. Dave Dorger 5104 w. Wisconsin ave.

Nicole Flemming, JD

From: Byrne, Jennifer <Jennifer.Byrne@milwaukee.gov>
Sent: Monday, March 14, 2022 4:31 PM
To: Nicole Flemming, JD
Subject: Re: Caliente Licensing
Attachments: Steve Dahlke Email.pdf; Fonesca 125 PM.pdf

Follow Up Flag: Flag for follow up
Flag Status: Completed

 You don't often get email from jennifer.byrne@milwaukee.gov. [Learn why this is important](#)

Nicole,

I've attached a copy of the record to this email. I've also attached an email we received from Mr. Dahlke, the only e-mail that was not in opposition to the license. Below is the call we received from Mr. Todd Peterson who said he hadn't had any issues with noise coming from the business.

Todd	Peterson	414-915-8933	5128W	Bluemound Rd	Knows his neighbors in condo building are opposed to expansion of Caliente's license. He has not personally had any issues with noise coming from their property.
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Please let me know if you need anything else.

Jenn Byrne (She/Her)
Legislative Aide to Alderman Michael J. Murphy
10th District
200 East Wells Street – 2nd Floor | Milwaukee, WI 53202
414.286.2074
jennifer.byrne@milwaukee.gov

From: Byrne, Jennifer <Jennifer.Byrne@milwaukee.gov>
Sent: Monday, March 14, 2022 1:26 PM
To: Nicole Flemming, JD <nicole.flemming@jbentreprises.com>
Subject: Re: Caliente Licensing

Nicole,

The License division let me know the deadline to file is Wednesday the 16th. I will follow up on the other items and get back to you hopefully by the end of the day.

Thanks!

Caliente's

Steve <sdahlke@wi.rr.com>

Thu 3/3/2022 11:06 AM

To: Murphy, Michael (Alderman) <mmurph@milwaukee.gov>

You don't often get email from sdahlke@wi.rr.com. [Learn why this is important](#)

Mr. Murphy

My name is Steve Dahlke and I live next to Caliente Kitchen and Rum Bar. I received the license renewal notice that mentioned the additions Mr. Castillo and Mr. Fonseca wish to add. I have been unable to contact either man, so I'm reaching out to you.

To the point, what happens inside the building is not a problem unless it leaves the building. We are, and always will be, concerned about the noise pollution the new "features" may cause. To this date, Caliente's has proven to be a good and considerate neighbor. We would like to remind Mr. Castillo and Mr. Fonseca of the agreement they made with their neighbors and would like their assurance that they will continue to live up to their word

Thank you for your help in addressing this matter

Steve Dahlke
522 N 52nd Street
414-258-0402

JESSE FONSECA

Jesse was born July 6th, 1983, in Milwaukee Wisconsin. He has two children Yocelin and Jesse Jr. Jesse graduated from Nativity Jesuit Middle School and later Riverside High School in 2002. After high school Jesse worked for various cellular companies until 2004 of which he saved enough money needed to open his first cellular store on thirty-sixth and Silver Spring in Milwaukee Wisconsin. Since then, Jesse has had much success in his business ventures over the past nineteen years which also include the cellular retail industry, furniture retail industry, Blue Agave Restaurant and Nightclub located in Madison Wisconsin, Sabor Tropical Restaurant & Lounge and Fuego Food Truck both located in Bay View Wisconsin and now Caliente Latin Kitchen and Rum Bar in the Story Hill area. His restaurants consist of mostly Latin dishes, cocktails, and décor and over the years have won many awards including best new restaurant in Milwaukee, best Caribbean restaurant three years in a row from 2019-2021 by Shepard Express and was recently voted top 50 Caribbean restaurants in the world by USA Today for its fall 2022 issue.

In his free time Jesse loves to travel, spend time with loved ones, and is a huge fan of art. Jesse has become a leader and philanthropist in his Milwaukee Latin community, following the footsteps of Alderman Jose Perez, MMA fighter Anthony Pettis, El Conquistador newspaper Chairman and CEO Victor Huyke, Milwaukee Police officer Acevedo, and countless others that Jesse has learned from and admired throughout the years and all of Puerto Rican decent like himself. Jesse is a donator and supporter of many groups and charities around Milwaukee such as the Sojourner Truth House, Puerto Rican Festival, UMOs of Milwaukee, Journey House, LGTB community center, Alderwoman Marina Dimitrijevic, Nativity Jesuit Middle School, and Pius XI High School, but Jesse's pride and joy charity he loves to advocate and fundraise for is Autism Speaks of Milwaukee. Jesse's son Jesse Jr. was diagnosed with Autism himself in 2012 and since then Jesse has been on a mission to stop the bullying of children with Autism as well as spreading the awareness of Autism in the Latin community. He holds Autism events once a year in April that consist of City officials vs businessmen basketball game, of which Alderman Jose Perez city official team beat the businessmen and was able to raise over \$8,000 to Autism Speaks. Also, the following year he ran a 5k charity event on behalf of Autism Speaks and raised \$5,000, and has recently been working on a dancing with Milwaukee's stars event where five non dancing professionals from the Milwaukee area will compete with each other while dancing with professional dancers themselves and will be judged by three judges including Alderwoman Marina Dimitrijevic, Daniel Balderas professional dancer himself and owner of salsabrocitas dance studio, and Gospel recording artist Danny Gokey a longtime friend of Jesse. With this event, Jesse is planning to raise over \$10,000 for Autism as well spreading the awareness of Autism in his Community.

Jesse's goal in life is to raise his children with a father figure in their lives, something he was never given an opportunity to have. Career wise Jesse has recently closed on a location to expand his Sabor Tropical brand to Waukegan, Illinois and has plans to open a Sabor Tropical Restaurant in Reading, Pennsylvania, Tampa Bay, Florida, New Orleans, Louisiana, Dallas, Texas, and Las Vegas, Nevada respectably.

March 14, 2022

Friends and Neighbors near
Caliente Latin Kitchen and Rum Bar

Dear Friends and Neighbors,

It has come to my attention that my business, Caliente Latin Kitchen & Rum Bar, has been the subject of some recent noise complaints. As a small business owner, maintaining a friendly relationship with my community is among my most important goals. For this reason, I am disappointed to hear about the ways in which my business has inconvenienced you. Throughout my years of doing business in Milwaukee, my customers know that if I have in any way disappointed them, I look to immediately rectify the situation. To that end, I want you all to know that remedying this situation is my top priority as owner of Caliente.

So far, I have taken significant steps to change the physical structure of our space to prevent our music from being audibly disruptive. I have hired a sound technician, and following his recommendations, have decided to add outdoor coverings to all windows on the west side of the building. Furthermore, we have addressed our behavior as a team by limiting outdoor gatherings during our late hours of operation. I will be the premises to monitor my employees so that they do not gather on the outdoor patio in the late hours. Following a complaint of an employee being loud on the patio late at night, I suspended the employee. I will continue to monitor so that this does not happen again. Also, I will ensure that our garbage receptacles remain closed when not in use.

Still, we do not plan on stopping there. In fact, we would like to welcome you all to express your concerns about our operation so that we can learn about how to better serve you and others in our community. We envision holding monthly get-togethers at our restaurant with you all to brainstorm about how we can improve our relationship moving forward.

To demonstrate my commitment to the community, I would like to give you all the chance to get to know the real me. I am involved heavily with Autism Speaks, Latino Chapter of Milwaukee, where I invite you all to attend our dance on April 30th. All proceeds go to Autism Speaks, and I anticipate it being a fun event. If this interests you at all, do not hesitate to reach out via text or email, and I will be happy to include you.

Thank you for your time and for bringing these matters to my attention. I look forward to learning how I can better serve you.

Sincerely,

Jesse Fonseca
Owner, Caliente Latin Kitchen & Rum Bar
(414)839-2067
calientemke@yahoo.com

ANTHONY KENNEDY

610 N. Water St. Milwaukee WI 53202 | 414.808.2100. | music@kinnidy.com

Skills Summary

- Collaborative audio engineer with 16 years of cumulative experience
- Has facilitated, produced, and recorded live performances in studios and public venues
- Possesses multiple recording software proficiencies and instrument expertise
- Open to working with recording artists and genres of all kinds

Skills

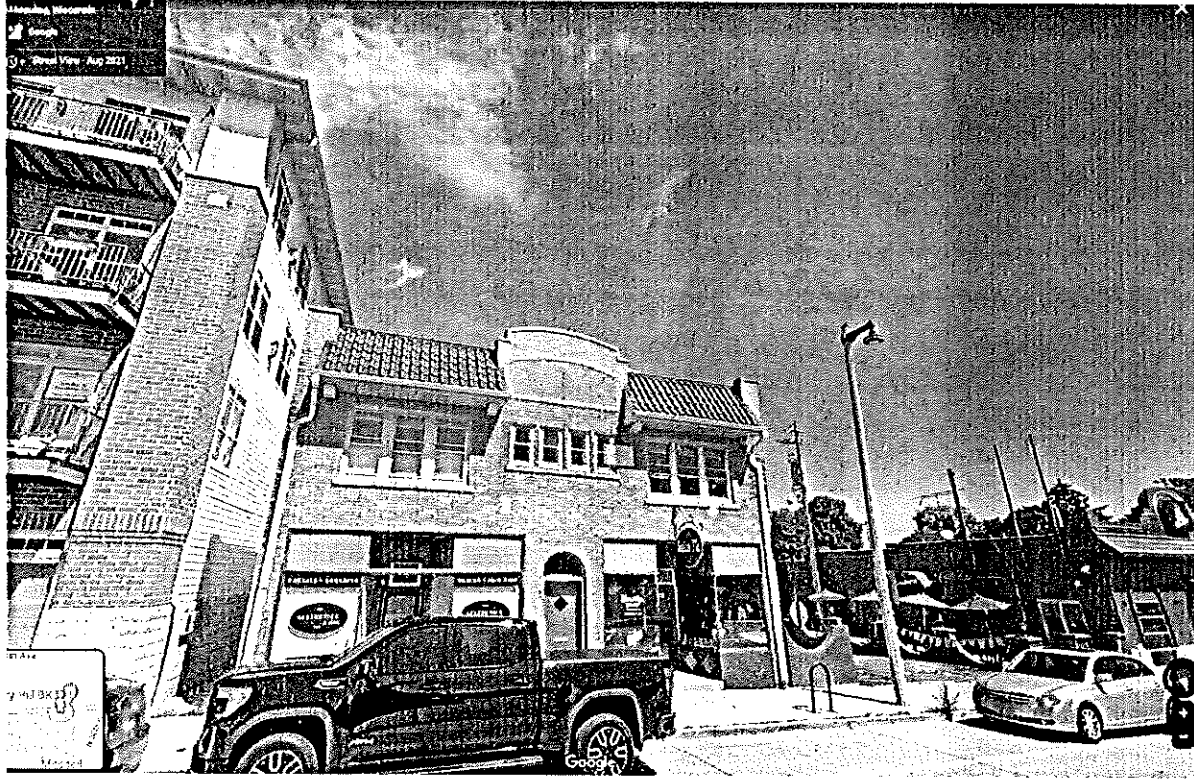
- Digital sound editing
- Analog sound editing
- In-studio recording
- Live music recording
- Studio design
- Voice Overs
- Piano, Guitar, Drums, Saxophone
- Studio Design
- DAW instructor
- Pre / Post Production
- Live sound set up
- DJ
- Audio Software specialist

Work History

- The Shell Studio – Intern / Recording Engineer - 2006 -2009
- Saltmind Oasis – Intern / Recording Engineer – 2009 - 2010
- Celebrity Theater – Front of the House Sound Engineer 2009 -10
- Music Gurage Brooklyn – Studio Owner Operator – 2010 -2011
- Music Gurage Chicago – Studio Owner Operator -2011 - 2015
- Kinnidy Inc – Lincoln Warehouse Studio Owner Operator 2015 2018
- Kinnidy Inc/ Tymeless Studios – Studio Co-Owner/ Operator / Instructor 2018 - present

Education

Washington Highschool - 2007

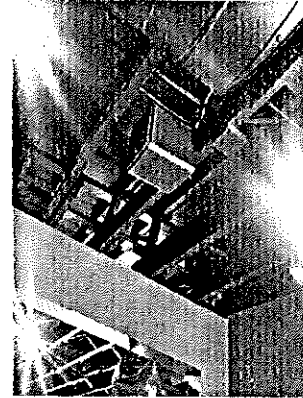
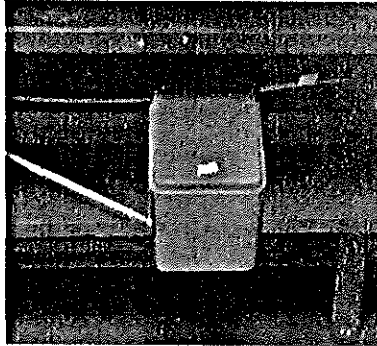


DECIBEL ANALYSIS

Anthony Kennedy
music@kinidy.com
www.tymelessstudios.com

Decibel Analysis

Set Up Overview



Caliente Latin Kitchen & Rum Bar has an inexpensive Denon Home Theater speaker system connected to four T15 Series Polk Audio speakers, all with 5 inch cones (small). A typical headphone speaker is 40mm (1.5 inches) with no sub woofers (bass speakers).

An average bar or club uses PA Speaker systems that have specifications and order of magnitude higher (x10) with 3 times the number of speakers and 20 inch or better subwoofers.

Speakers Specifications

T Series Specifications	
	Driver Complem
Mid/Woofer	5.25"
Tweeter	0.75"
Electrical	
Overall Frequency	60Hz
Crossover	2-wa

Response	
Lower	-3db Limit 65Hz
Upper	-3db Limit 20kHz
Nominal Impedance	8 ohms
Recommended Watts / Channel	20 - 100 Watts / Channel
Amplifier Power	
Efficiency	89 dB
Inputs	5-way binding posts

polk

Home Theater | Speakers | PA | Outdoor | Call Center | Order | Support

SEARCH | US | Cart

Home Theater | Speakers | PA | Outdoor | Call Center | Order | Support

★★★★★ 47,000

T15

BOOKSHELF SPEAKERS (PAIR)

Good for: **Bedroom**

- ✓ Engineered and designed in USA
- ✓ Great sound for every room
- ✓ 3 years warranty
- ✓ Built to last

Color options

Black

Decibel Test

I recorded two Decibel (db) tests with the Decibel X application in and around the building with the speaker system volume set to the maximum. (This volume is 15% to 25% louder than a tolerable loud speaker setting).

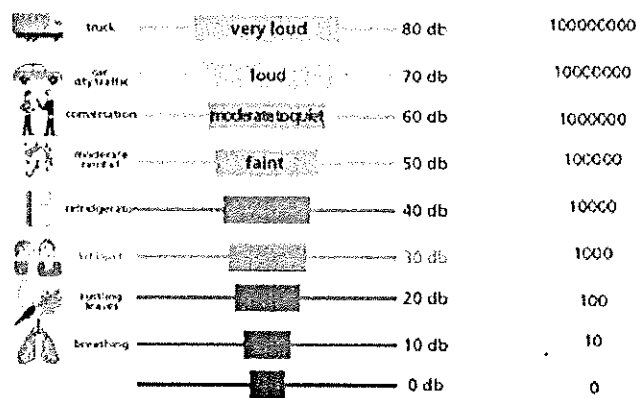
“Test 1”: recording started from the corner of 5128 W. Bluemound Rd and ended inside Caliente with microphone near the speaker (I entered the restaurant at around 41 seconds).

“Test 2”: recording started near Caliente’s patio doors, walking through the parking lot and back to the corner of 5128 W. Bluemound Rd.

While pointing the microphone directly at the speaker as close as I could, I got a measurement of 94 dB. While standing on the patio near the patio doors, I got measurements around 66 dB. While standing in front of 5128 W. Bluemound Rd, I got an average reading of 55-60 dB with and without music playing. The fluctuation was due to cars passing by, me talking to the lawyers, and other normal outdoor ambient noises. I could not hear the music while standing in front of 5128 W. Bluemound Rd.

The measurement report has the results of both tests on the following pages, along with graphic charts displaying the decibel levels throughout the duration of the tests.

(For reference, a pair of Beats by Dre Head phones could put out 115 db. The distance from the sound source relative to its environment with respect to the distance to the listener will determine the number of decibels. If I were to stand next to a semi-truck with those head phones on, I would not be able hear the truck. If I took the headphones off and placed them next to the truck and walked 15ft away, I wouldn’t hear the headphones. If I took off the padding off the head phones and walked 15 ft away, I would hear the truck and the headphones).



PRO Rating How it works?

User ratings: ★★★★★

Editorial reviews: 13 See more

Pros

- Extremely sleek and modern look
- Excellent midrange and bass quality
- Great sound quality

Cons

- Custom Tech Shows Market Place Price List Smartphones
- Pros Lists Tech Shows Market Place Price List Smartphones
- The headphones are a bit on the expensive side

Key specs

Impedance: 16 Ω
 Frequency range: 20, 20000 Hz
 Sound output: Stereo
 Connectivity technology: Wired

Sensitivity: 115 dB
 Acoustic design: Closed
 Style: Over-Ear



Measurement Report

Name: Record 1

Duration: 1m:5s

Time: Mar 11, 2022 At 1:14 Pm

Location: Milwaukee

Device: iPhone XS Max, iOS 15.2.1

Notes:

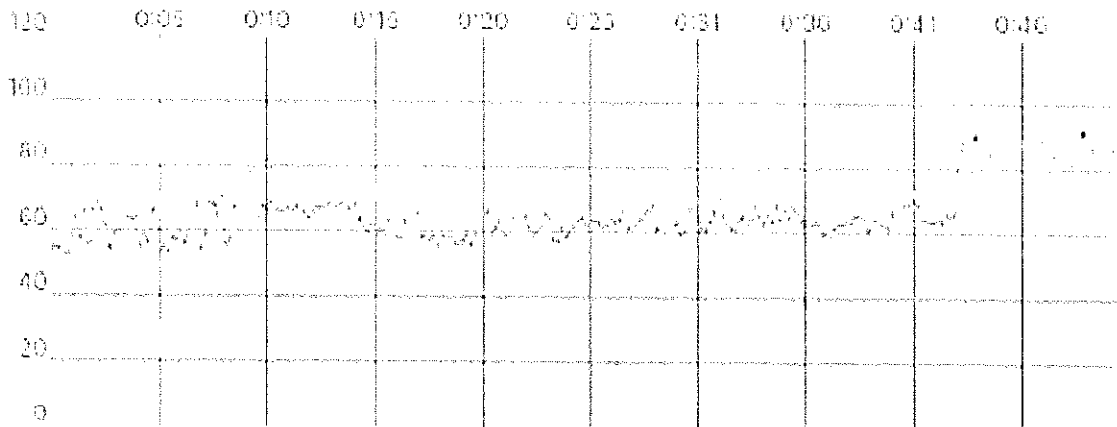
Measurement configurations

Frequency weighting	A
Response time	Fast (0.2s)
Calibration	+0.0 dB
Avg/Leq	74.8 dB
Min	54.4 dB
Max	92.5 dB
Peak	94.5 dB

Measurement results

Standard	NIOSH
Threshold	85 dB
Exchange rate	3 dB
TWA	43.1 dB
Dose	0.0 %
Projected dose	3.0 %

Graph



Measurement Report

Name: Record 2

Duration: 55s

Time: Mar 11, 2022 At 1:19 Pm

Location: Milwaukee

Device: iPhone XS Max, iOS 15.2.1

Notes:

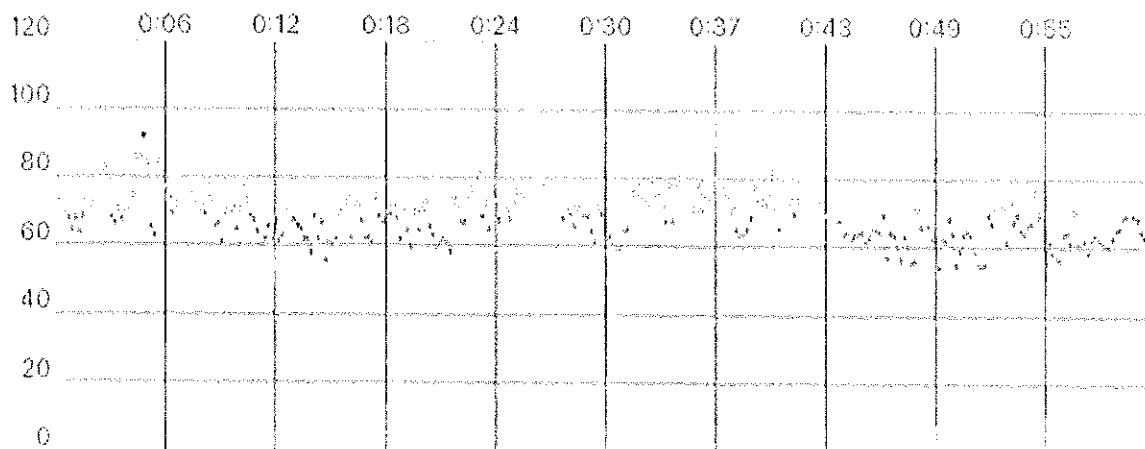
Measurement configurations

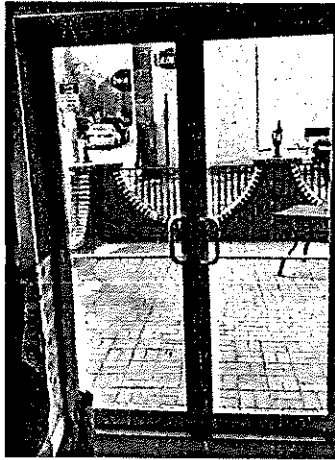
Frequency weighting	A
Response time	Fast (0.2s)
Calibration	+0.0 dB
Avg/Leq	79.5 dB
Min	53.4 dB
Max	91.7 dB
Peak	94.9 dB

Measurement results

Standard	NIOSH
Threshold	85 dB
Exchange rate	3 dB
TWA	51.5 dB
Dose	0.0 %
Projected dose	25.1 %

Graph





The Problem

Caliente Latin Kitchen & Rum Bar is a brick and mortar building with four points where sound can escape.

1. West window
2. West patio door
3. West side exit door.
4. HVAC

There was an approximate 10 -15 dB difference from these points and the brick west exterior wall. The main source of the problem is having two speakers directly attached to the ceiling frame next to the vents. In this scenario, the ventilation system is an echo chamber for sound to resonate, build up, and escape on the west side roof of the building (closest to the apartment building)



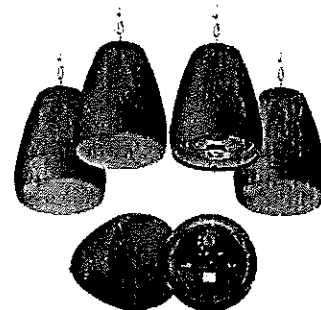
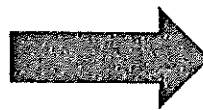
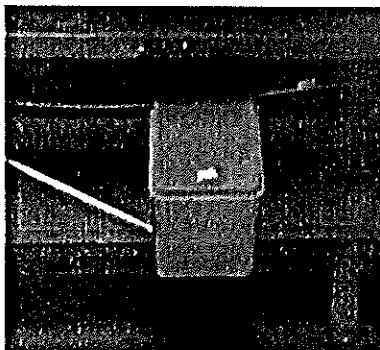
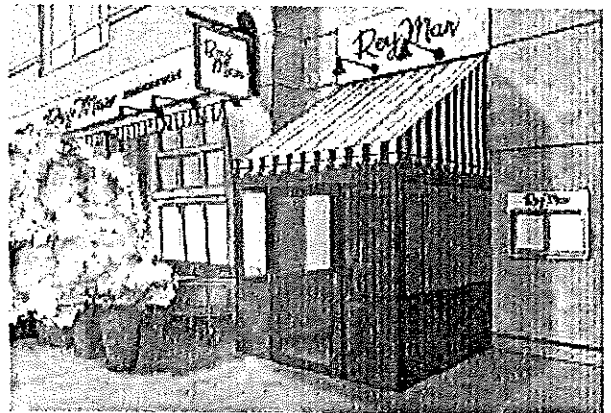
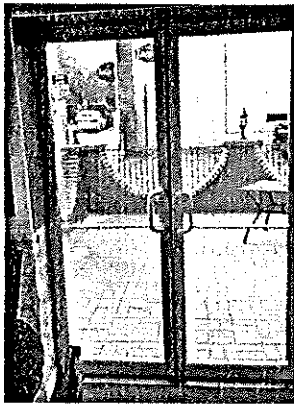
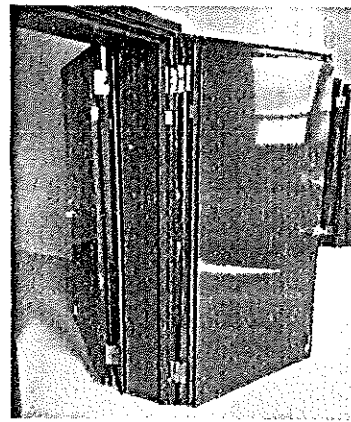
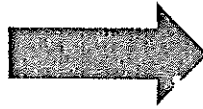
How many decibels does a brick wall stop?

For example a normal quiet room is around 35dB and anything above this can be perceived as a loud noise (i.e. normal conversations around 55dB) a standard brick wall will block an average of 40dB and a stud wall will only block 30dB leaving 15dB to 20dB to be blocked respectfully, to give you a good level of peace and ... Apr 9, 2019

The Solution

The four escape points can be easily acoustically treated. I recommend the following:

1. Seal off and insulate the window (west window)
2. Install a "temporary door enclosure (patio door)
3. Install an interior insulated door (west side exit door)
4. Relocate speakers away from the vents
5. Decouple the speakers from ceiling frame and suspend them from a wire
6. Insulate the HVAC system
7. Install sound panels on large flat surfaces on interior wall space
8. Spray acoustic foam on the areas above the speakers on the ceiling



Sound Attenuation Calculator - Inverse Square Law

The formula to calculate sound attenuation over distance for a point source is:

$$Lp(R2) = Lp(R1) - 20 \cdot \log_{10}(R2/R1)$$

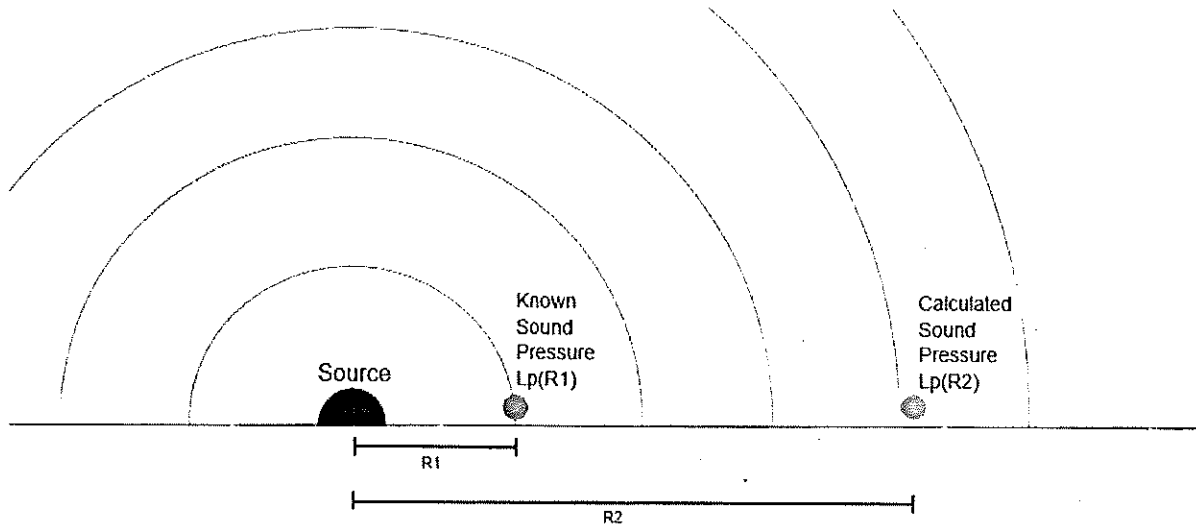
Where:

$Lp(R1)$ = Known sound pressure level at the first location (typically measured data or equipment vendor data)

$Lp(R2)$ = Unknown sound pressure level at the second location

$R1$ = Distance from the noise source to location of known sound pressure level

$R2$ = Distance from noise source to the second location



Known sound pressure level (dB(A))

66

Select Metric or Imperial Units:

Metric

Imperial

Distance from source for known sound pressure level (R1) (ft)

1

Tested sound pressure levels are commonly given at 1m or 3ft (R1)

Distance from source to position R2 (ft)

80

Attenuated sound pressure level (dB(A))

27.9

Conclusion

With the current sound system in place with the volume set to the maximum while standing next to the building, I was getting measurements near the nighttime Maximum Permissible Noise levels 64-66 dB (according to Milwaukee's Subchapter 2 80-68 Nuisances). Factoring in Inverse Square law to determine dB levels of a neighbor approximately 80ft and 3 stories above, it clearly indicates the noise level is less than half the city limits at that distance. With all the above solutions in place, in my professional opinion the dB levels will be even 20%-30% lower than the 27.9 dB's it's at now. A whisper is around 30 dB (highlighted on my first chart).

a. Maximum Permissible Noise.

Preferred Frequencies of Octave Bands (cycles per second)	Sound Pressure Level Decibels Re: 0.0002 Microbars	Nighttime Levels	Daytime Levels
63		66	76
125		59	69
250		52	62
500		46	56
1,000		42	52
2,000		40	50
4,000		38	48
8,000		37	47

