



STAFF REPORT

City Commission

October 12, 2024

To: City Commission

From: Penny Overstreet, City Clerk

Date: September 03, 2024

Item Name: Application OE-24-09-01- 1112 S Ocean Shore Blvd. - Outdoor Entertainment Permit, The Cajun Beach, FloJun, 11C

Background: The PARB voted 3 to 2 to recommend approval with the following conditions: No live entertainment after 9:30 p.m. and the applicant would install a decibel meter that was not the iPhone app.

Applicant: The Cajun Beach, FloJun, 11C, 1112 S Ocean Shore Blvd., Flagler Beach, Florida 32136. The subject property is zoned General Commercial G.C. The applicant is seeking approval of an Annual Outdoor Entertainment Permit to allow amplified and non-amplified events consisting of music, spoken word and/or other forms of entertainment. Section 4-167, Review of Permit Application states, the City Commission, after receiving recommendation from the Planning and Architectural Review Board (PARB), shall approve, approve with conditions, or deny a permit for outdoor entertainment activity based on any of the following grounds:

- (1) The activity would present an adverse impact to the health, safety or welfare of the applicant, participants, public employees or members of the public and/or fails to protect the city's environment.
- (2) The activity would unreasonably inconvenience the general public.
- (3) The proposed activity is prohibited by or inconsistent with the Flagler Beach Code of Ordinances or the Flagler Beach Comprehensive Plan.
- (4) The applicant cannot meet, or is unwilling to meet, all of the requirements of this article.
- (5) The activity is proposed for a site that does not have adequate parking to accommodate the activity.
- (6) The activity is proposed for a site that is inherently hazardous to the participants or the public.
- (7) The event would have an adverse effect, and would unreasonably infringe upon, the rights of property owners within two hundred (200) feet of the property line of the subject property.
- (8) The event would conflict with another proximate event or interfere with construction or maintenance work.
- (9) The information furnished in the application is not materially complete and accurate.
- (10) The applicant has violated a provision, restriction or condition of this article or an outdoor entertainment activity permit issued to the applicant within the past and has not presented competent substantial evidence that measures to prevent future violations will be implemented at the property.

- (11)The requirements identified by the city staff to ensure public health, safety and welfare have not been met.
- (12)The comments and/or recommendations of the planning and architectural review board have not been addressed.
- (13)The proposed event or activity is prohibited by federal, state, or local regulations.
- (14)Other issues in the public interest as identified by the city commission.

In making a determination to approve a permit the PARB may recommend, or the city commission may limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted to minimize any adverse impact caused by the activity.

Noise Complaints from previous business: It should be clearly understood, the noise complaints against the previous business cannot be used to base your recommendation on this current application, but for purposes of understanding they are included.

Fiscal Impact: N/A

Staff Recommendation: Consider the fourteen criteria and provide recommendation to approve, approve with conditions or deny. If denying cite the criteria your decision is based upon.

Attachments: Application, letter to applicant, letter to surrounding properties within 200 feet of the subject property, list of properties notification letter was mailed, aerial of site, site plan, and Noise Complaints from previous business.

OFFICE USE ONLY:

DATE REC'D 8-3-24

FEE REC'D \$ _____

INITIALS: P.O.

APPROVED

DISAPPROVED

SENT PARB

PERMIT ISSUED _____

INSTRUCTIONS:
Please print or type all information.
 The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). Incomplete applications may delay your request. All statements made on the application are subject to verification.

City of Flagler Beach
 APPLICATION FOR
 OUTDOOR ENTERTAINMENT



105 South 2nd Street,
 Post Office Box 70
 Flagler Beach, Florida 32136
 Phone (386) 517-2000 Fax (386) 517-2008

**Please type or print legibly
 Required Information**

Business Name: The Cajun Beach FlaJun LLC

Contact Person: Patrick McKinney

Address: 1112 S. Ocean Shore Blvd.

City: Flagler Beach State: FL Zip: 32136

Work Phone: _____ Home Phone: 386-338-3430

Fax: _____ Mobile Phone: 386-344-2983

E-Mail Address: Patrick@thecajunbeach.com

What type of permit are you applying for? (check one)

Annual Permit (permit fee = \$150.00)

Per event that occurs fewer than 12 times a year (permit fee = \$75.00)
 (Please list dates and times for the events on the bottom of page 2)

One day event on Date _____ (permit fee = \$50.00)
 Start time _____ am/pm End time _____ am/pm

Will you utilize temporary structures at your event? No Yes
 If yes, attach a sketch of the site showing the location of these structure and see note below)
 (Indicate number of each)

_____ Stages _____ Scaffolding _____ Fences _____ Other


_____ Tents Do any of the tents exceed 200 square feet? _____ No _____ Yes
Note: Special Permits are required for tents exceeding 200 square feet. Special Building permits are required for temporary structures 700 or more square feet in area and those that are four feet above grade.

Does the establishment have adequate parking? _____ No Yes
 Attach a sketch of the site showing the location and number of current spaces. If No how do you propose to provide parking? Attach additional statement if necessary.)

PLEASE ATTACH A SITE PLAN REGARDING THE SET UP OF THE OUTDOOR ENTERTAINMENT. PLEASE ATTACH A CURRENT COPY OF YOUR LIABILITY INSURANCE TO THIS APPLICATION.

By signing below I understand:

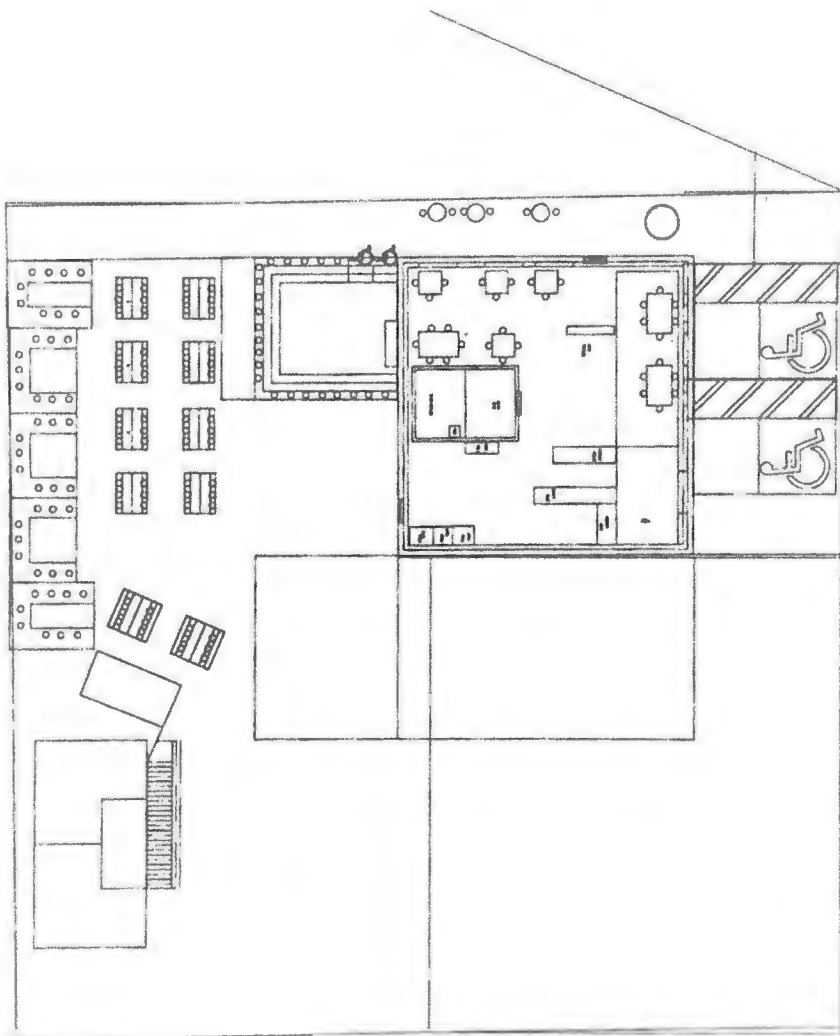
- This is an application only and does not obligate the City in any fashion to issuing a permit or approve an event.
- I have included my application fee and understand that my application will not be processed without the application fee.
- In no case shall the City's Noise Ordinance be violated.
- The City Commission may reasonably limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted.
- The event(s) may not be held until a permit is received.

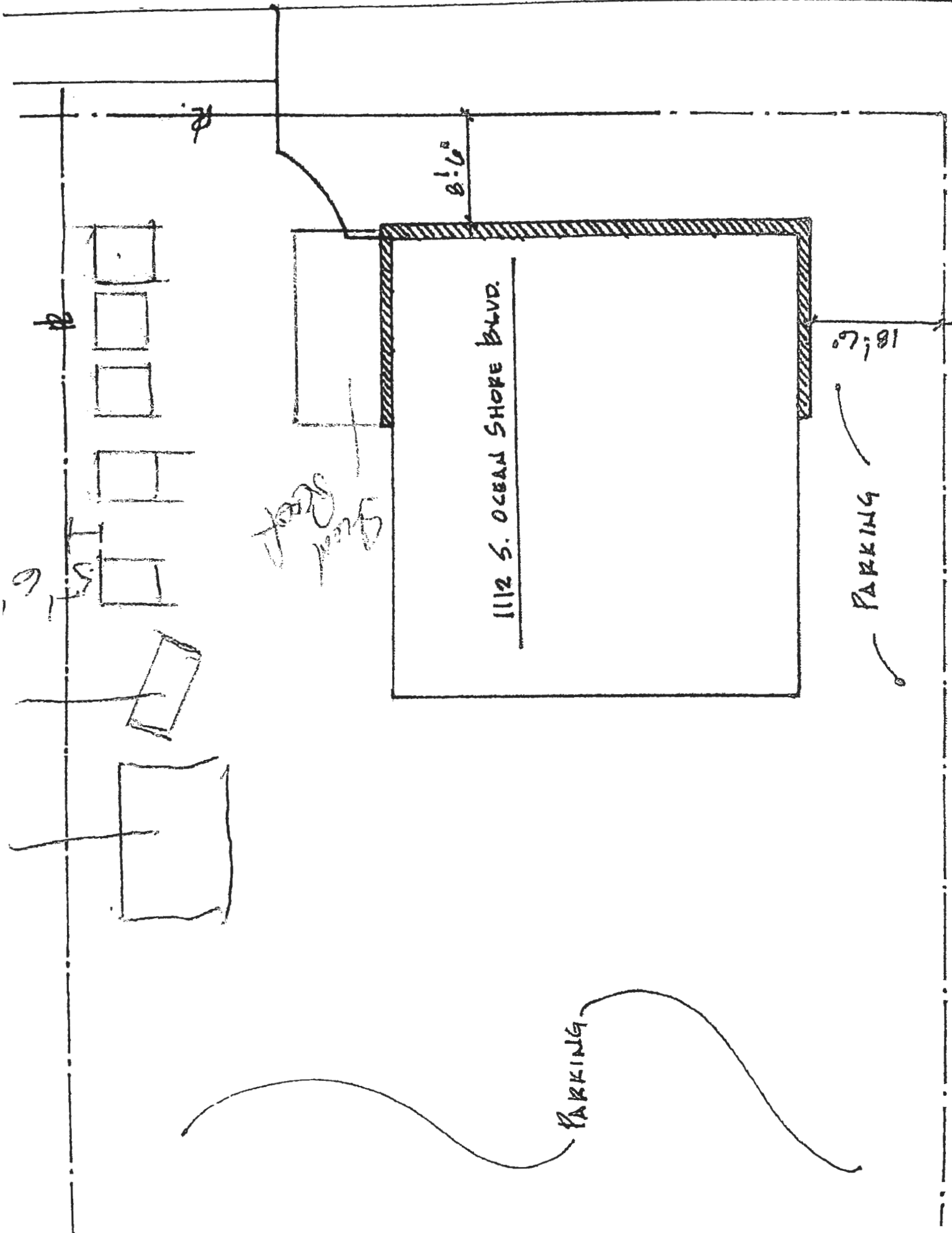
Signature of Applicant  Date 8/2/2024

Title of Applicant owner

Affiliation owner

1. Date _____	Start time _____ am\pm	End time _____ am\pm
2. Date _____	Start time _____ am\pm	End time _____ am\pm
3. Date _____	Start time _____ am\pm	End time _____ am\pm
4. Date _____	Start time _____ am\pm	End time _____ am\pm
5. Date _____	Start time _____ am\pm	End time _____ am\pm
6. Date _____	Start time _____ am\pm	End time _____ am\pm
7. Date _____	Start time _____ am\pm	End time _____ am\pm
8. Date _____	Start time _____ am\pm	End time _____ am\pm
9. Date _____	Start time _____ am\pm	End time _____ am\pm
10. Date _____	Start time _____ am\pm	End time _____ am\pm
11. Date _____	Start time _____ am\pm	End time _____ am\pm
12. Date _____	Start time _____ am\pm	End time _____ am\pm





1112 S. OCEAN SHORE BLVD.

8'6"

18'6"

PARKING

PARKING

Handwritten notes:
 1/22/25
 10/22/25

9,5,6

2



City of Flagler Beach

P.O. Box 70 • 105 South 2nd Street
Flagler Beach, Florida 32126

Phone (386) 517-2000 • Fax (386) 517-2008

August 15, 2023

Patrick McKinney
1112 S. Ocean Shore Boulevard
Flagler Beach, Florida 32136

RE: Outdoor Entertainment Application

Dear Mr. McKinney

This letter is to advise you the Planning and Architectural Review Board will hear your request for an Outdoor Entertainment Permit on September 3, 2024 at 5:30 p.m. The City Commission will hear the Planning Board's recommendation and the final decision will be made at their September 12, 2024 meeting, which begins at 5:30 p.m. I have enclosed a copy of the letter that has been mailed to the businesses and residents within 200 feet of your location. Should you have concerns or questions please contact me at poverstreet@cityofflaglerbeach.com or 386-517-2000 ext. 233.

Sincerely,

A handwritten signature in blue ink, appearing to read "Penny Overstreet", is written over a light blue rectangular background.

Penny Overstreet
City Clerk

CC: Lupita McClenning, Planner
Planning & Architectural Review Board
Elected Officials
Dale L. Martin, City Manager



City of Flagler Beach

P.O. Box 70 • 105 South 2nd Street
Flagler Beach, Florida 32126

Phone (386) 517-2000 • Fax (386) 517-2008

August 20, 2024

RE: Outdoor Entertainment Permit Application Review

Dear Sir or Madam:

The purpose of this letter is to advise you, the City is in receipt of a request from "The Cajun Beach FloJun, LLC", located at 1112 S. Ocean Shore Blvd., requesting an Annual Outdoor Entertainment Permit. Per Ordinance 2010-02 the office of the City Clerk is required to notify property owners in a two-hundred-foot radius of the subject property of the meeting dates and times the request will be reviewed by the Planning & Architectural Review Board and the date the City Commission will have final review. The Planning & Architectural Review Board will review the request on September 3, 2024; meeting begins at 5:30 p.m. The request will be before the City Commission for consideration on September 12, 2024; meeting begins at 5:30 p.m. The intent of this notice is to provide to you the opportunity to appear at the meeting(s) to voice your concerns or approval of the requested activity. Should you have any questions please contact the Planning & Zoning Office at 386-517-2000 ext. 231 or the City Clerk's Office at 386-517-2000 ext. 233 if you wish to view the application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Penny Overstreet", is written over a light blue rectangular background.

Penny Overstreet
City Clerk

CC: Dale L. Martin, City Manager
Lupita McClenning, Planner
Elected Officials
PARB Members
Patrick McKinney, Applicant




FLAGLER COUNTY PROPERTY APPRAISER



Overview



Legend

-  Parcels
-  Roads
-  Streams and Rivers

Date created: 8/20/2024
Last Data Uploaded: 8/20/2024 8:28:25 AM

Developed by  Schneider
GEO SPATIAL

A1A OCEANSHORE LLC
5 ST ANDREW COURT
PALM COAST, FL 32164

ANNIS BETTY H
2826 MONDAUI DR
ROCKLEDGE, FL 32955

BACK SHARON M
TRUSTEE
PO BOX 1375
FLAGLER BEACH, FL 32136

BCC PROPERTIES LLC
PO BOX 418
FLAGLER BEACH, FL 32136

BURBRINK LYNDA BAND
JOSEPH R BURBRINK JTWROS
PO BOX 695
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
P O BOX 70
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
PO BOX 70
FLAGLER BEACH, FL 32136

EGGERT IRIS CLAXTON
LIFE ESTATE C/O LIZ RUBEIS
2563 SW 87TH DR STE 10
GAINESVILLE, FL 32608

EZRIN ALVIN & DENISE ANNE CORNWA
1203 S CENTRAL AVENUE
FLAGLER BEACH, FL 32136

GOLDEN MAGNOLIA MARINE INC
1272 PALM COAST PKWY SW
PALM COAST, FL 32137

HARRELL MICHELLE & REBECCA
LYNNE JUSTICE & KRISTINA FOSTER TI
106 BARRINGTON COURT
FLETCHER, NC 28732

HODOVANCE DEREK
& HEATHER RAE H&W
112 S 11TH STREET
FLAGLER BEACH, FL 32136

JAI HANUMAAN LLC
1224 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

MONTGOMERY CALVIN & BRENDA K
LIFE ESTATE
12499 OLIVE TRAIL
PLYMOUTH, IN 46563

OCEANSIDE COTTAGES LLC
1204 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

SEAGROVE BEACH INVESTMENTS LLC
2574 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
108 12TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
109 11TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
109 12TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1104 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1109 S CENTRAL AVE
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
111 12TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1112 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1115 CENTRAL AVE S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
112 11TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
113 11TH ST S
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1201 S CENTRAL AVE
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1203 S CENTRAL AVE
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1204 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

CURRENT RESIDENT
1224 S OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136



Incident Report

Print Date/Time: 07/09/2024 11:58
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2023-00023132

Incident Date/Time: 10/19/2023 3:34:46 PM
Location: 1112 S OCEAN SHORE BLVD
Flagler Beach FL 32136
Phone Number: (386)864-2199
Report Required: No
Prior Hazards: No
LE Case Number:

Incident Type: Noise Complaint
Venue: Flagler Beach
Source: Phone
Priority: Code 1
Status: Investigate
Nature of Call:

Unit/Personnel

Unit	Personnel
BE11	7069-Jones
BE12	7073-Sylvester

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	GARANITT, MAXIN		(386)864-2199			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE11		
Disposition	Count	Date/Time
AT9	1	10/19/2023 16:42
Unit: BE12		
Disposition	Count	Date/Time
AT1	1	10/19/2023 16:31

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

10/19/2023 : 16:42:36 kjones Narrative: did not respond

10/19/2023 : 16:30:55 tsylvester Narrative: Upon arrival the music was not loud what so ever. I could barely hear it from the side walk over the motorcycles and passing traffic. I was unable to get a clear reading on the DB reader due to the traffic. the meter kept spiking up to 95 and then down to 73. Unable to make a determination of the business is in violation or not. Axon

10/19/2023 : 15:35:27 flagso\teddy Narrative: AND ITS JUST TOO LOUD NOW

10/19/2023 : 15:35:23 flagso\teddy Narrative: THERE WAS AN AGREEMENT WITH RP AND THE CAJON CRAB

10/19/2023 : 15:35:13 flagso\teddy Narrative: AND THEY ARE LOOSING GUESTS BECAUSE OF IT

10/19/2023 : 15:35:04 flagso\teddy Narrative: HAS NEIGHBORS THAT PLAY MUSIC VERY LOUD

10/19/2023 : 15:34:58 flagso\teddy Narrative: RP IS OWNER OF GOLDEN MAGNOLIA RESORT



Cajun Best
(AKA Jimmy's
Hang 10)

Incident Report

Print Date/Time: 07/09/2024 11:57
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2023-00023263

Incident Date/Time:	10/21/2023 4:21:44 PM	Incident Type:	Noise Complaint
Location:	113 11TH ST S Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:	(574)780-3931	Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE11	7085-Coffman
BE20	7064-Yelvington

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	MONTGOMERY, BRENDA		(574)780-3931			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE11		
Disposition	Count	Date/Time
AT1	1	10/21/2023 16:56
Unit: BE20		
Disposition	Count	Date/Time
AT9	1	10/21/2023 16:46

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

10/21/2023 : 16:44:44 ayelvington Narrative: LEFT A VOICEMAIL FOR THE OWNER ADVISING HER OF THE NOISE COMPLAINT.

10/21/2023 : 16:24:52 flagso\lsantos Narrative: RP WOULD LIKE CONTACT WITH RESPONDING OFFICER

10/21/2023 : 16:24:46 flagso\lsantos Narrative: RP WANTS LEO TO GO OUT AND READ WITH A DECIMAL READER AND GIVE THEM A CITATION

10/21/2023 : 16:24:14 flagso\lsantos Narrative: STATES THAT HER HUSBAND IS NOT FEELING WELL AND SHE CAN NOT HAVE THIS

10/21/2023 : 16:23:55 flagso\lsantos Narrative: FROM THE NEW RESTAURANT

10/21/2023 : 16:23:36 flagso\lsantos Narrative: LOUD MUSIC



~~OFF~~
Cajun Rest

Incident Report

Print Date/Time: 07/09/2024 11:56
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2023-00023313

Incident Date/Time:	10/22/2023 6:02:43 PM	Incident Type:	Noise Complaint
Location:	113 11TH ST S Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:	(574)780-3931	Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE21	7055-Guerrero

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	MONTGOMERY, BRENDA		(574)780-3931			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE21		
Disposition	Count	Date/Time
AT1	1	10/22/2023 18:51

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

10/22/2023 : 18:49:23 mguerrero Narrative: Upon receiving the noise complaint call, I attempted to locate the meter reader within the department. Unfortunately, the meter reader is within the Sgts office under lock and key. I made contact with the reporting party and listen to her complaints in reference to the music. I advised her about the meter reader not being available for the evening, however, the music had already seized prior to my arrival. I advised RP that I could make contact with the establishment to possibly curb any further issues for the evening.

When making contact at the establishment they appeared to be already of why I was present, possibly by my mere presence. However, they stated that the neighbors have called on them multiple times and they have not done anything wrong, that they are considering filling a harassment report. I requested that they lower the music to curb any possible unwanted attention.

10/22/2023 : 18:12:59 wzuazua Narrative: RP WANTS TO KNOW IF LEO CALLED THEM AHEAD OF TIME BEFORE A METER READING SO THAT HE DOESN'T GET A CITATION

10/22/2023 : 18:12:21 wzuazua Narrative: RP CALLED BACK IN ON THE ADMIN LINE AND SAID SHE WANTS AN OFFICER TO GO TELL THEM TO TURN IT DOWN AND NOT A PHONE CALL FROM THE DEPUTY, SHE WANTS THEM TO HAVE A METER READING AND A CITATION WROTE. RP STATES SHE PAYS " \$10 THOUSAND DOLLARS IN TAXES" AND WOULD LIKE SOMETHING DONE

10/22/2023 : 18:07:15 flagso\lstanford Narrative: SHE STATED SHE CALLED THIS IN LAST NIGHT TOO BUT A READING COULDN'T BE DONE DUE TO THE MOTORCYCLES

10/22/2023 : 18:06:59 flagso\lstanford Narrative: SHE NEEDS A READING DONE/// OFFICERS CAN MAKE CONTACT WITH HER IF NEEDED

10/22/2023 : 18:03:37 flagso\lstanford Narrative: RPS HUSBAND IS SICK

10/22/2023 : 18:03:29 flagso\lstanford Narrative: RP NEEDS AN OFFICER TO COME DO THE MUSIC READING

10/22/2023 : 18:03:20 flagso\lstanford Narrative: LOUD MUSIC AT THE NEW CAJUN PLACE

Cajin Beach
Resturant



Incident Report

Print Date/Time: 07/09/2024 11:38
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2024-00004506

Incident Date/Time:	3/14/2024 9:03:07 PM	Incident Type:	Noise Complaint
Location:	1112 S OCEAN SHORE BLVD Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:		Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE21	7082-Nobre
BE22	7086-Snyder

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	ANON					

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE22		
Disposition	Count	Date/Time
AT1	1	03/14/2024 21:16

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

03/14/2024 : 21:14:41 msnyder Narrative: THERE IS A WEDDING, SPOKE WITH THE PARTIES INVOLVED AND REQUESTED THE MUSIC BE TURNED DOWN, THEY AGREEG TO TURN IT DOWN. AXON UPLOADED
03/14/2024 : 21:03:23 aldrige Narrative: LOUD MUSIC COMING FROM RESTAURANT

Cajin Beach
Resturant.



Incident Report

Print Date/Time: 07/09/2024 11:30
Login ID: sbuttner

Flagler Beach Police Department
ORI Number: FL0180200

Incident: 2024-00007383

Incident Date/Time:	5/2/2024 7:03:32 PM	Incident Type:	Noise Complaint
Location:	1112 S OCEAN SHORE BLVD Flagler Beach FL 32136	Venue:	Flagler Beach
Phone Number:	(561)445-4111	Source:	Phone
Report Required:	No	Priority:	Code 1
Prior Hazards:	No	Status:	Investigate
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
BE20	7064-Yelvington

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	Caller	WOTHERSPOON, TOM		(386)237-4991			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
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Disposition(s)

Disposition	Count	Date/Time
Unit: BE20		
Disposition	Count	Date/Time
AT1	1	05/02/2024 19:46

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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CAD Narrative

05/02/2024 : 19:46:30 ayelvington Narrative: NO VIOLATIONS.

05/02/2024 : 19:04:56 dbrown Narrative: WANTS CONTACT

05/02/2024 : 19:04:09 dbrown Narrative: BASS TO IT

05/02/2024 : 19:04:07 dbrown Narrative: LOUD MUSIC