



MEMORANDUM

DATE: May 8, 2025

TO: Development Review Committee

FROM: Brandon Hatch, Planner I

THRU: Planning and Development Services

SUBJECT: SP24-0010 - Final Site Plan application to allow a 2,617 square-foot Dairy Queen restaurant with a drive-thru, and a 2,042 square-foot sit-down restaurant to be developed on approximately 1.79-acre property located at 2953 Howland Boulevard within the C-1, Retail Commercial Zoning District.

Applicant: Harry Newkirk P.E., Newkirk Engineering

REFERENCES: City Comprehensive Plan, Code of Ordinances Section 75-4.

REQUEST: The applicant is requesting approval of Final Site Plan SP24-0010, to construct a 2,617 square-foot Dairy Queen restaurant with a drive-thru, along with a sperate 2,042 square-foot sit-down restaurant. Approval of this application by the Development Review Committee (DRC) Meeting will authorize the execution and recording of the Development Order and site plans, thereby allowing the applicant to proceed to the building permit phase.

DISCUSSION: The Final Site Plan application was submitted to the Planning and Development Department on July 1, 2024. Following a completeness review, a Sufficiency Letter was issued on July 8, 2024. The first DRC comment letter was provided on August 1, 2024. Over the course of five review cycles, all substantive issues have been addressed to staff's satisfaction, with the exception of pending comments from Volusia County Traffic.

ANALYSIS: Staff has completed a comprehensive review of the Final Site Plan and supporting documentation and has determined the submittal to be in compliance with the applicable requirements of the City's Land Development Code and Comprehensive Plan.

DEVEVELOPMENT REVIEW COMMITTEE:

The proposed Final Site Plan complies with all relevant provisions of the City's Comprehensive Plan and Chapter 75 of the Land Development Code. Therefore, staff recommends that the Development Review Committee approve the Final Site Plan SP24-0010, subject to the following conditions:

1. The applicant shall comply with all conditions outlined in the Development Order.
2. A pre-construction meeting with the Engineering Department shall be scheduled and attended prior to the start of any site work.

3. A building permit application shall be submitted to, reviewed, and approved by the Building Department before construction begins.
4. Prior to the construction, the applicant shall obtain an approved Traffic Impact Analysis from Volusia County and execute a proportionate fair share agreement if required.
5. A Business Tax Receipt shall be submitted with the Business Tax Office prior to the issuance of a Certificate of Occupancy for either business.

LEGAL DESCRIPTION:

LOTS 11 & 12, BLOCK 1027, DELTONA LAKES UNIT 39, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 27, PAGES 209 THROUGH 212, INCLUSIVE, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

ATTACHMENTS:

- Development Order