



# Commitment Modification

*Whitestown Plan Commission*

August 29, 2023

Docket: PC21-046-DP

The applicant is requesting a Commitment Modification to a commitment made under Docket PC21-046-DP Hoosier To-Go gas station. The Unified Development Ordinance Section 11.5 F. grants the Whitestown Plan Commission the authority to modify or terminate Commitments made by this board.

The site is located between Phipps Lane, Spur Street, and Albert S White Drive. The site is zoned Bridle Oaks Planned Unit Development and received Development Plan approval from the Whitestown Plan Commission in December 2021 subject to one commitment. The applicant is requesting to modify the commitment.

The approved Commitment states *"The eastern road must be constructed before building permits are approved."* The referenced road required to be constructed is Spur Street. This street will provide one access point to the site and connects Albert S White Drive to Phipps Lane. As of this date, neither Spur Street nor Phipps Lane have been constructed. The construction of Phipps Lane is not part of this development or original commitment made.

Staff has concerns about the structure being constructed without adequate street infrastructure in place. The applicant is permitted to do limited site work, such as installing the underground fuel tanks. Staff is recommending modifying the commitment to read *"Spur Street must be fully constructed to Town Standards before a Certificate of Occupancy will be issued."* This modification will allow the applicant to begin construction of the gas station but will not allow operation of the gas station use until Spur Street is constructed.

Respectfully,

Jill Conniff, AICP  
Planning Staff

Attachments:

Applicant Request for Commitment Modification

Staff Report PC21-046-DP

Meeting Minutes December 13, 2021