

Planning Commission Minutes  
October 24, 2024

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:35 a.m. on October 21, 2024)

6. (CE-1131) Application by Kyle A Dawson and Tiffany Peltier, to close a portion of the north-south utility easement within Lots Six (6) and Seven (7) in Block Six (6) of Whistle Creek Phase II, west of Whistle Creek Boulevard and north of NW 161st Street. Ward 7.

The applicant was present. There were no protestors present.

**RECOMMENDED APPROVAL.**

MOVED BY NOBLE, SECONDED BY GOVIN

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, NOBLE,  
LAFORGE

ABSENT: PENNINGTON



**STAFF REPORT**  
**The City of Oklahoma City**  
**Planning Commission**  
**October 24, 2024**

**Item No. IV. 6.**

**(CE-1131) Application by Kyle A Dawson and Tiffany Peltier, to close a portion of the north-south utility easement within Lots Six (6) and Seven (7) in Block Six (6) of Whistle Creek Phase II, west of Whistle Creek Boulevard and north of NW 161st Street. Ward 7.**

**I. GENERAL INFORMATION**

**A. Contacts**

**Applicant's Representative**

Kaitlyn Turner  
Williams, Box, Forshee & Bullard P.C.  
405-232-0080  
kturner@wbflaw.com

**B. Case History**

This is a new application.

**C. Reason for Request**

The purpose of this request is to resolve the encroachment of two homes into a platted, front-yard utility easement.

**D. Existing Conditions**

**1. Zoning and Land Use**

	<b>Subject Site</b>	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
<b>Zoning</b>	R-1	R-1	R-1	R-1	R-2
<b>Land Use</b>	Residential	Residential	Residential	Residential	Residential

**2. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)**

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

## **II. REVIEW COMMENTS**

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk \* indicates that the agency, department, and/or division responded with no adverse comments.

### **A. Outside Agencies**

- 1. Oklahoma City-County Health Department (OCCHD)**
- 2. Oklahoma City Urban Renewal Authority (OCURA)**
- 3. Oklahoma Gas and Electric (OGE)**
- 4. Oklahoma Water Resources Board (OWRB)**
- 5. School District: Edmond**
- 6. Oklahoma Department of Transportation (ODOT)**
- 7. Oklahoma Natural Gas (ONG)**
- 8. Oklahoma Electric Cooperative (OEC)**

### **B. City Departments**

- 1. Airports**
- 2. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 3. Fire (OCFD) \***
- 4. Information Technology/Geographic Support (IT/GIS)**
- 5. Parks and Recreation**
- 6. Police (OCPD)**

**7. Public Works**

**a. Engineering**

A perpetual easement for water and wastewater, drainage, storm water, sidewalks, and traffic controls systems (collectively “City systems”) are hereby expressly reserved until such time as plans have been approved by the Public Works and Utilities departments, respectively, which plans must include new executed and recorded easements, as necessary, before each individual easement may be released.

**Storm Sewer Availability \***

**8. Streets, Traffic and Drainage Maintenance**

**9. Stormwater Quality Management**

**10. Traffic Services \***

**11. Utilities**

**a. Wastewater Comments**

No objections. No assets in area.

**b. Water Comments**

No objections. No assets in area.

**c. Solid Waste Management**

No Solid Waste Management services needed.

**12. Planning**

**a. Comprehensive Plan Conformance Considerations**

The application seeks to close small portions of a 20-foot utility easement within Lots 6 and 7, in Block 6, of Whistle Creek Phase II (2021). The site is located off Whistle Creek Boulevard, generally located east of North Western Avenue and south of NW 164th Street. In this case the utility easement is requested to be closed for encroachment of constructed single-family residences. The closure of the easement does not have plan~~o~~ck implications and would not affect connectivity in the area.

**IV. STAFF RECOMMENDATION**

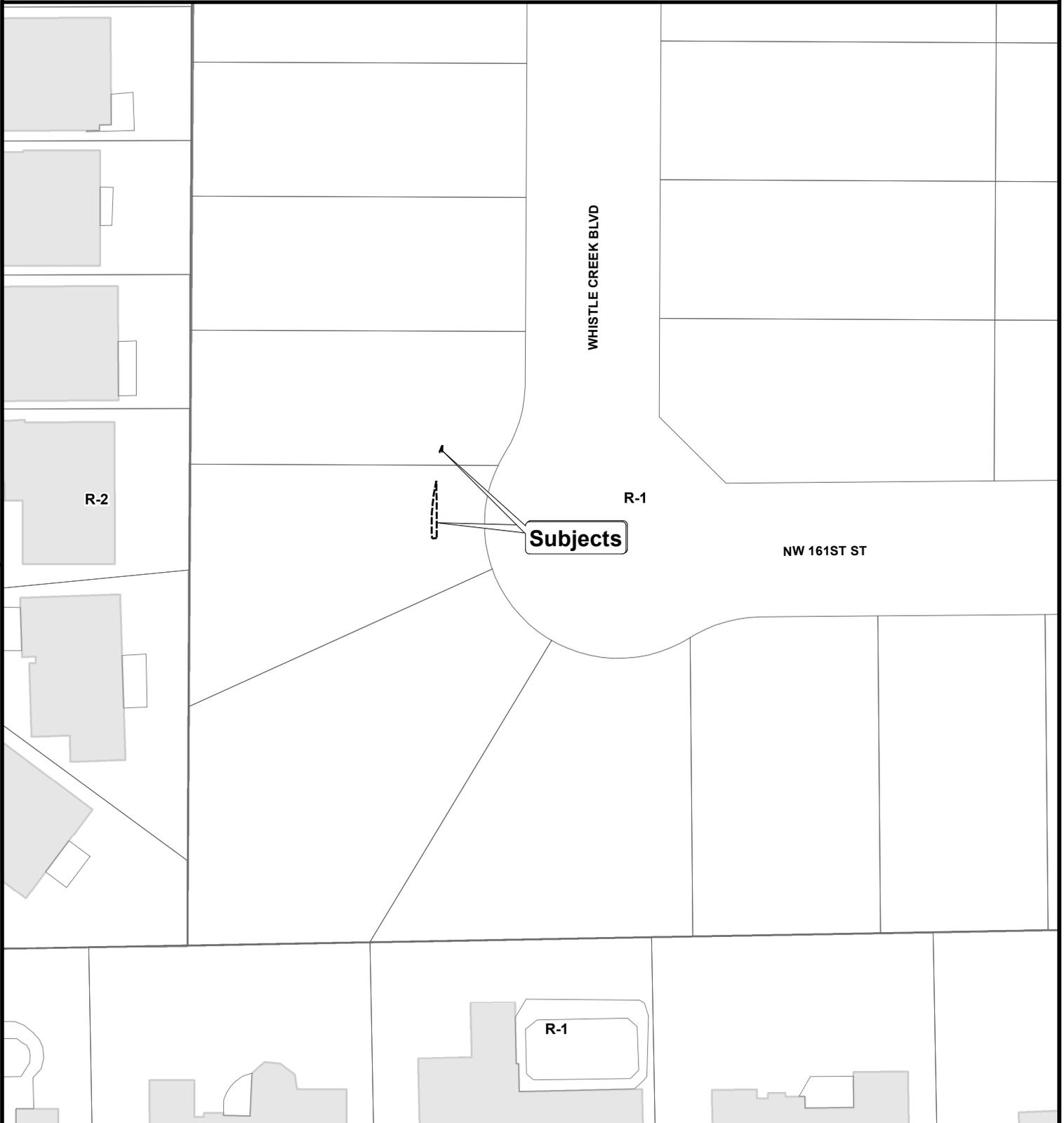
*Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.*

**Approval of the application.**

taj

**Case No: CE-1131**

**Applicant: Kyle A. Dawson and Tiffany Peltier**



Note: "Subject" is located approximately 2,128' East of N. Western Ave. and 1,218' South of NW 164th St.



The City of  
**OKLAHOMA CITY**

## **Application for Closing Public Way or Easement**



0 25 50  
Feet

**SURVEYOR'S CERTIFICATE**  
July 6, 2024

I, Michael A. Dawson, a Professional Land Surveyor in the State of Oklahoma, do hereby certify that the field work was completed as of the date set forth above and that an on the ground survey was made under my supervision of a tract of land described as follows:

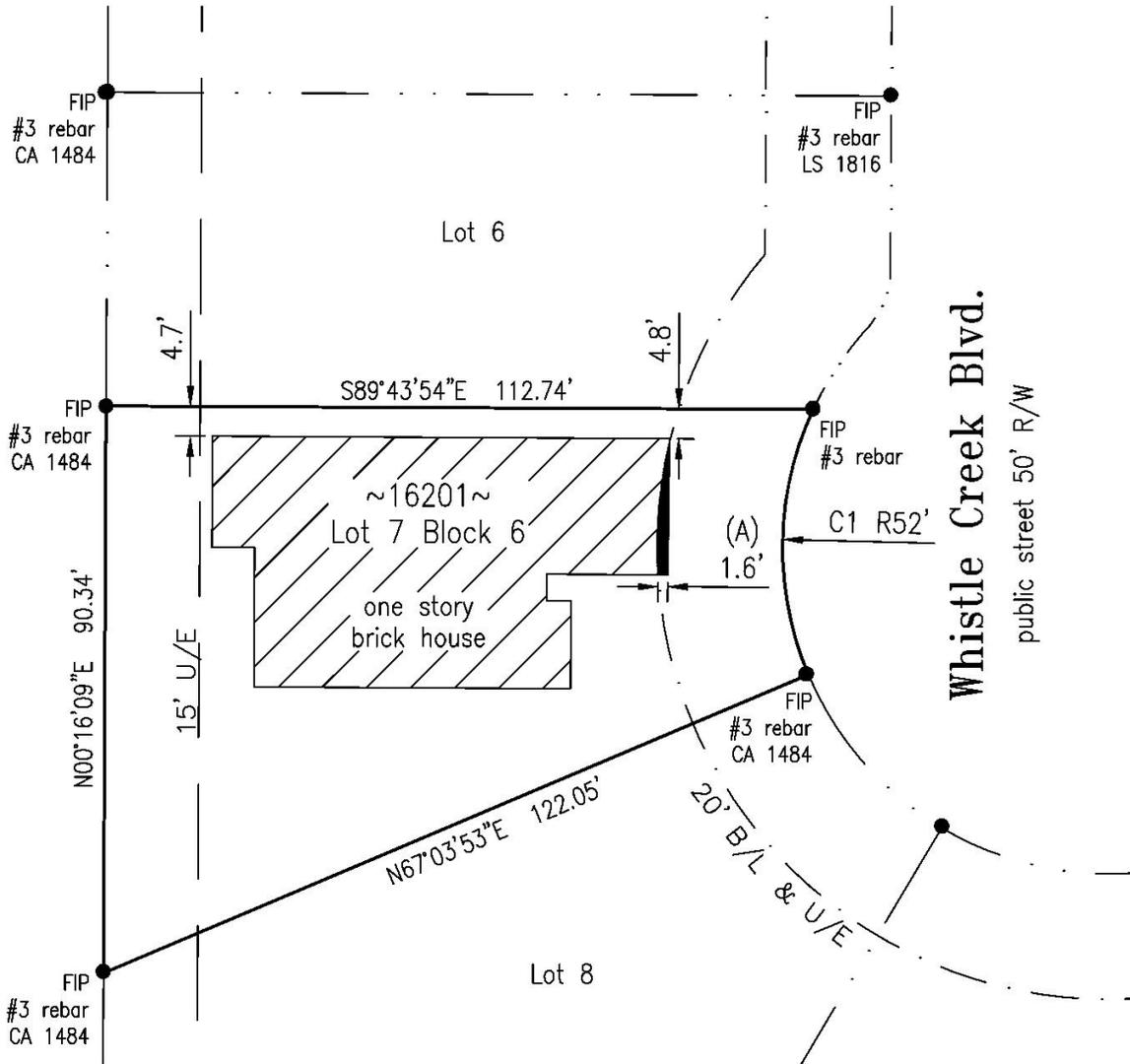
**LEGAL DESCRIPTION**  
**Lot Seven (7) of Block Six (6) in WHISTLE CREEK PHASE II, an Addition to the City of Oklahoma City, Oklahoma County, Oklahoma, according to the recorded plat thereof**

I further certify that the property corners were set or found as shown.

This survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

**Whistle Creek Blvd.**

public street 50' R/W



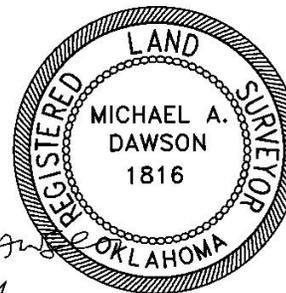
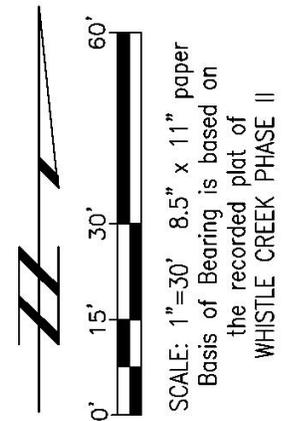
**LEGEND**

FIP=FOUND IRON PIN (#3=3/8" REBAR)  
B/L=BUILDING LINE  
U/E=UTILITY EASEMENT  
R/W=RIGHT OF WAY

**CURVE 1**

R=52.00', AL=43.51'  
CB=N1°02'15"E, CL=42.26'

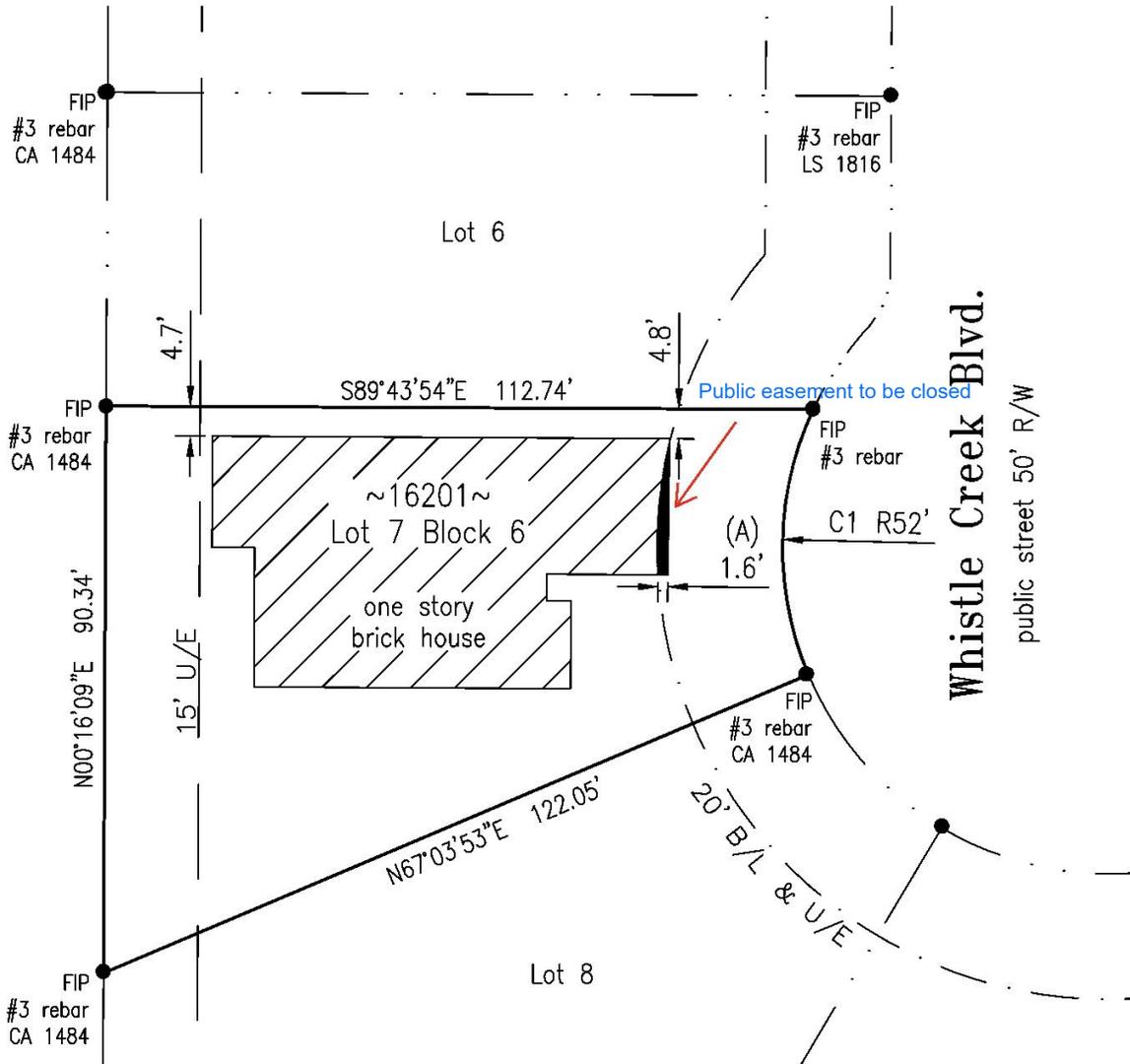
Lot 7 Contains ±7321.3 square feet, or ±0.17 acres.  
(A) House is over 20' B/L by as much as 1.6 feet.



*MA Dawson*  
7/8/24

FIELD DATE: 7/6/24	<b>ASBUILT SURVEY</b>
SCALE: 1"= 30'	16201 WHISTLE CREEK BLVD. OKLAHOMA CITY, OK. OKLAHOMA COUNTY, OK.
JOB NUMBER: 24-232	PATHFINDER SURVEYING CA # 8003 PO BOX 7433 MOORE, OK. 73153 Phone (405) 476-1469
SHEET 1 OF 1	MIKE@PATHFINDERSURVEY.COM

Property Owner - Kyle Dawson



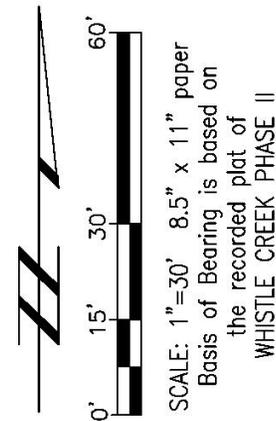
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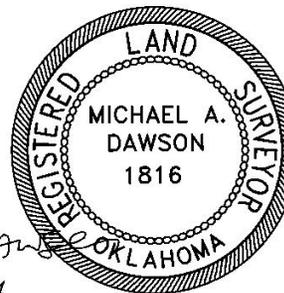


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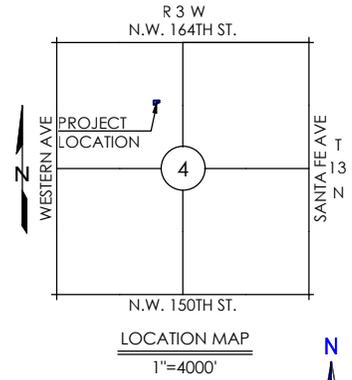
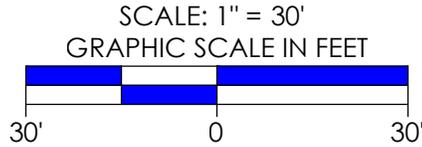
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BASIS OF BEARING  
 DEPICTED ON RECORDED PLAT  
 OF WHISTLE CREEK PHASE II  
 LAST SITE VISIT:  
 (09/11/2024)

# ATTACHMENT "A"

## Legend

- \_\_\_\_\_  
BUILDING LIMIT LINE
- \_\_\_\_\_  
EASEMENT
- \_\_\_\_\_  
PROPERTY LINE
- \_\_\_\_\_  
CENTERLINE ROAD
- \_\_\_\_\_  
EXISTING LOTS



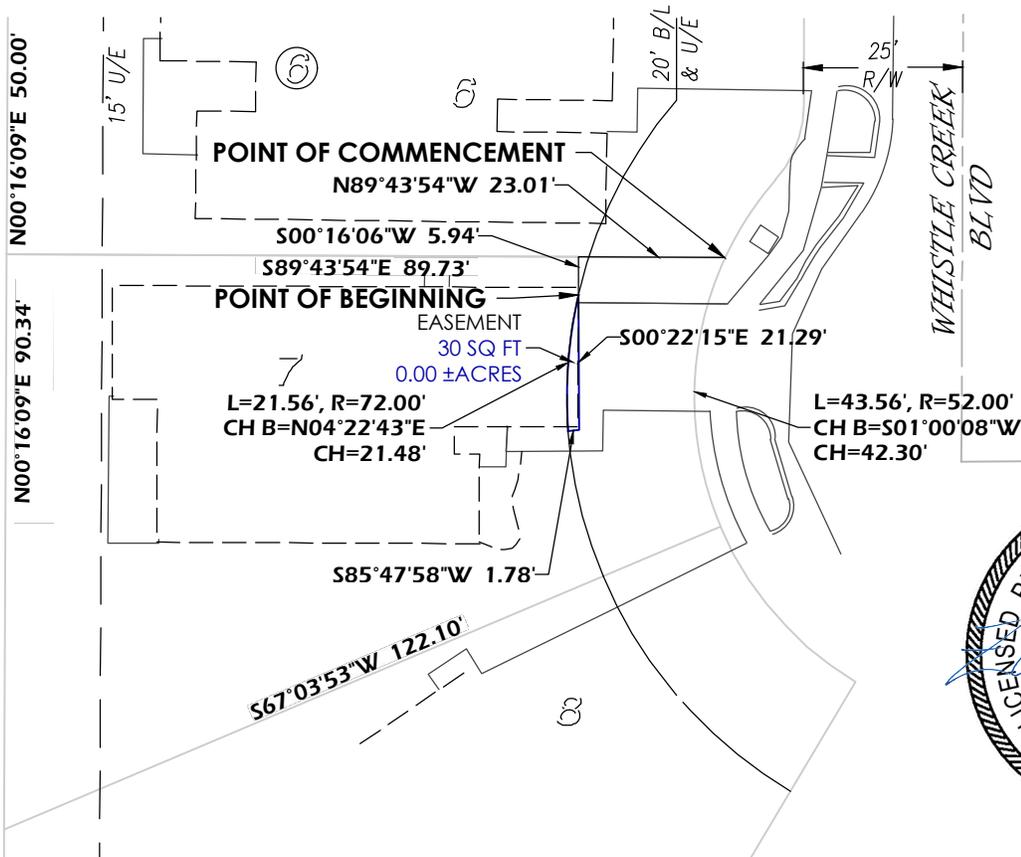
## As-Surveyed Legal Description

A tract of land situate within Lot 7 Block Six (6), Whistle Creek Phase II, a subdivision of the City of Oklahoma City, Oklahoma County, Oklahoma, recorded in Book 81, Page 3 and being more particularly described by metes and bounds as follows:

COMMENCING at the Northeast corner of Lot 7 Block 6 of Whistle Creek Phase II; thence  
 N 89° 43' 54" W along the north line of said Lot 7 a distance of 23.01 feet; thence  
 S 0° 16' 06" W a distance of 5.94 feet to the POINT OF BEGINNING; thence  
 S 00° 22' 15" E a distance of 21.29 feet; thence  
 S 85° 47' 58" W a distance of 1.78 feet to a point on a curve to the right; thence  
 21.56 feet along the arc of said curve having a radius of 72.00 feet, subtended by a chord of 21.48 feet which bears N 04° 22' 43" E,  
 to the POINT OF BEGINNING.

Said tract contains 30 Sq Ft or 0.001 Acres, more or less.

The foregoing legal description was prepared by Zach Pierce, PLS 2085 on 9/18/2024 in conjunction with Crafton Tull & Associates Project 23608200, the basis of control is OKLAHOMA NORTH NAD83 (2011) EPOCH 2010.0).



PLAT SHOWING EASEMENT EXHIBIT SURVEY OF LOT 7, BLOCK SIX (6) IN WHISTLE CREEK PHASE II, AN ADDITION TO THE CITY OF OKLAHOMA CITY FILED IN THE OFFICE OF THE OKLAHOMA COUNTY CLERK IN BOOK 81 OF PLATS, PAGE 3.

THIS PLAT DOES NOT MEET OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THE SOLE PURPOSE OF THIS PLAT IS TO DEPICT A PROPOSED EASEMENT.

### EASEMENT EXHIBIT

<p><b>Crafton Tull</b>          SURVEYING          300 Pointe Parkway Blvd          Yukon, OK 73099</p>	405.787.6270   405.787.6276 f www.craftontull.com CA 973 (PE/LS) Expires 6/30/2024	REVISIONS	
		LOT 7, BLOCK SIX (6), WHISTLE CREEK PHASE II SECTION 4, T13N, R3W, I.M. OKLAHOMA CITY, OKLAHOMA COUNTY, OK	
DRAWN BY: RW	FIELD QA/QC: RW	PROJECT #23608200	SCALE: 1" = 30'
CREW CHIEF: JE	DWG QA/QC: ZP	DATE: 9/18/2024	SHEET 1 OF 1

DRAWING: G:\23608200\_R\INGEN\MISC\INFRASTRUCTURE\SURVEY\DWG\ALTA\TOPO\236082000\_WHISTLE CREEK\_SUR\_LO17.DWG  
 LAYOUT: ---, LAST SAVED: 8/7/2024 3:00:56 PM  
 LAST PLOTTED BY: ZACHARAH PIERCE, 9/18/2024 3:01:18 PM (PLOTTED BY: ---, VALID ON HARD COPY ONLY)

SURVEYOR'S CERTIFICATE  
July 6, 2024

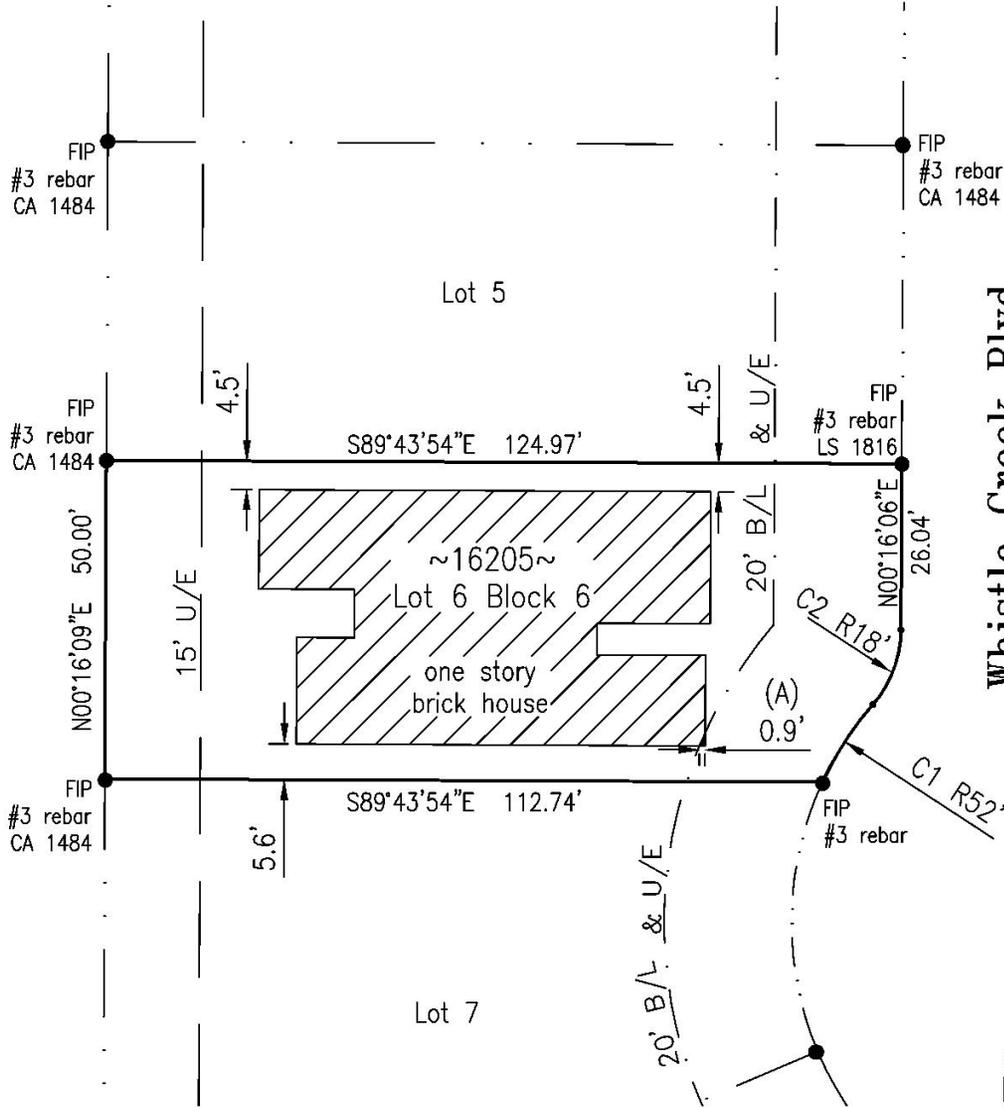
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Whistle Creek Blvd.  
public street 50' R/W



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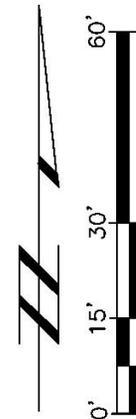
R=52.00', AL=14.56'  
CB=N33°01'58"E, CL=14.51'

**CURVE 2**

R=18.00', AL=12.81'  
CB=N20°39'43"E, CL=12.54'



*MA Dawson*  
7/8/24

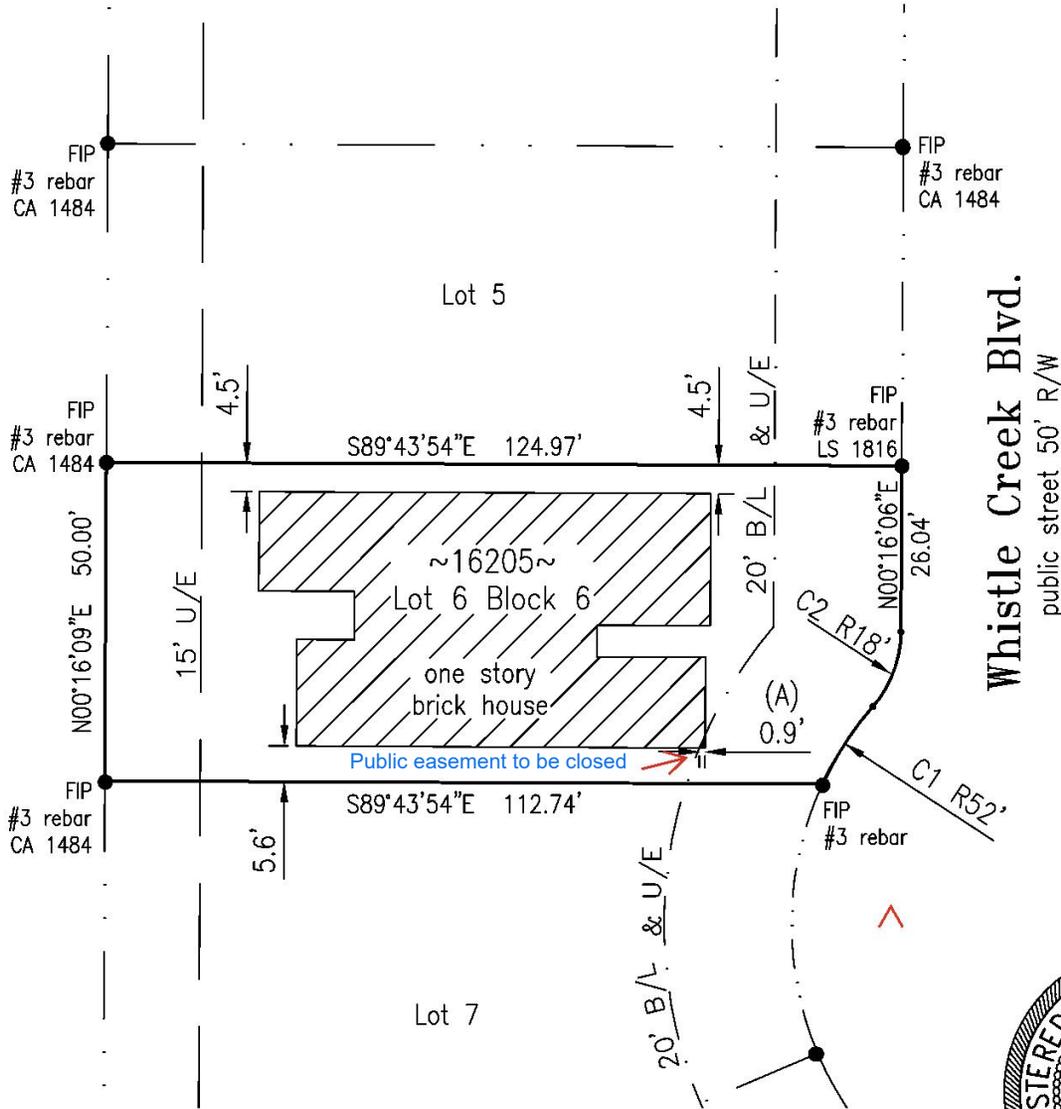


SCALE: 1"=30' 8.5" x 11" paper  
Basis of Bearing is based on  
the recorded plat of  
WHISTLE CREEK PHASE II

Lot 6 Contains ±6126 square feet, or ±0.14 acres.  
(A) House is over the 20' B/L by as much as 0.9 feet.

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JOB NUMBER: 24-233	PATHFINDER SURVEYING CA # 8003 PO BOX 7433 MOORE, OK. 73153 Phone (405) 476-1469
SHEET 1 OF 1	MIKE@PATHFINDERSURVEY.COM

Owner of property - Tiffany Peltier



**SURVEYOR'S CERTIFICATE**  
July 6, 2024

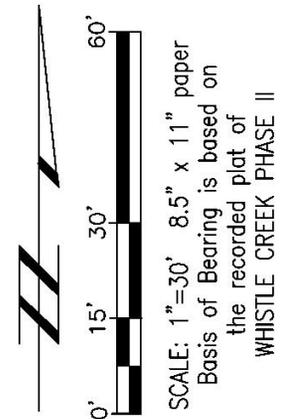
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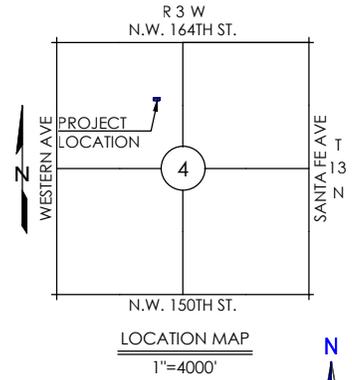
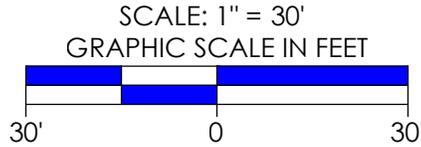
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SHEET 1 OF 1	MIKE@PATHFINDERSURVEY.COM

BASIS OF BEARING  
 DEPICTED ON RECORDED PLAT  
 OF WHISTLE CREEK PHASE II  
 LAST SITE VISIT:  
 (09/11/2024)

# ATTACHMENT "A"

## Legend

- \_\_\_\_ BUILDING LIMIT LINE
- \_\_\_\_ EASEMENT
- \_\_\_\_ PROPERTY LINE
- \_\_\_\_ CENTERLINE ROAD
- \_\_\_\_ EXISTING LOTS



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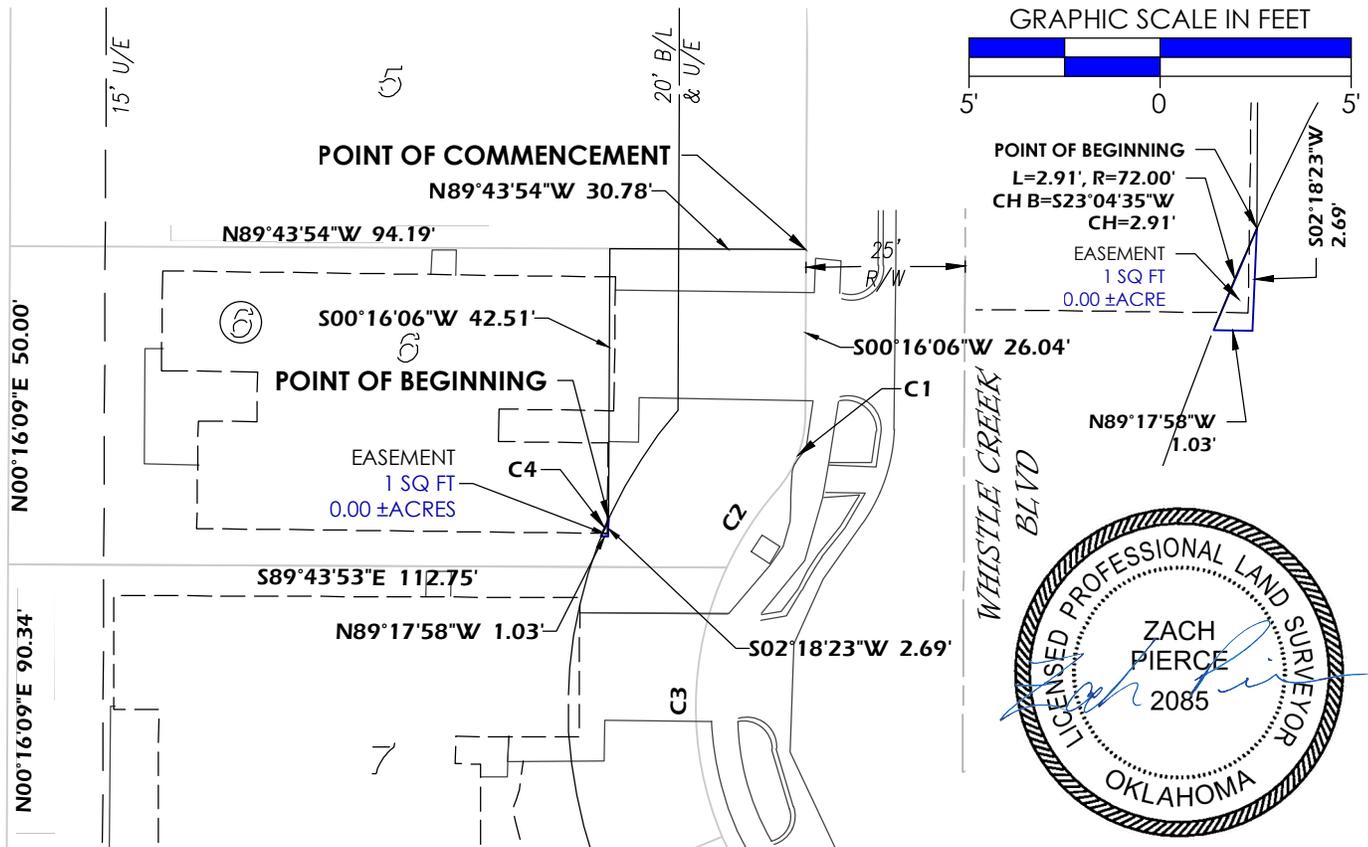
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Said tract contains: 1 Sq Ft or 0.000 Acres, more or less.

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Easement Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C4	2.91'	72.00'	002°18'45"	S23°04'35"W	2.91'
LOTS Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	12.81'	18.00'	040°46'32"	S20°39'22"W	12.54'
C2	14.56'	52.00'	016°02'31"	S33°01'22"W	14.51'
C3	43.56'	52.00'	047°59'51"	S01°00'08"W	42.30'

SCALE: 1" = 5'  
 GRAPHIC SCALE IN FEET



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405.787.6270 | 405.787.6276 f  
 www.craftontull.com  
 CA 973 (PE/LS) Expires 6/30/2024

LOT 6, BLOCK SIX (6), WHISTLE CREEK PHASE II  
 SECTION 4, T13N, R3W, I.M.  
 OKLAHOMA CITY, OKLAHOMA COUNTY, OK

### REVISIONS

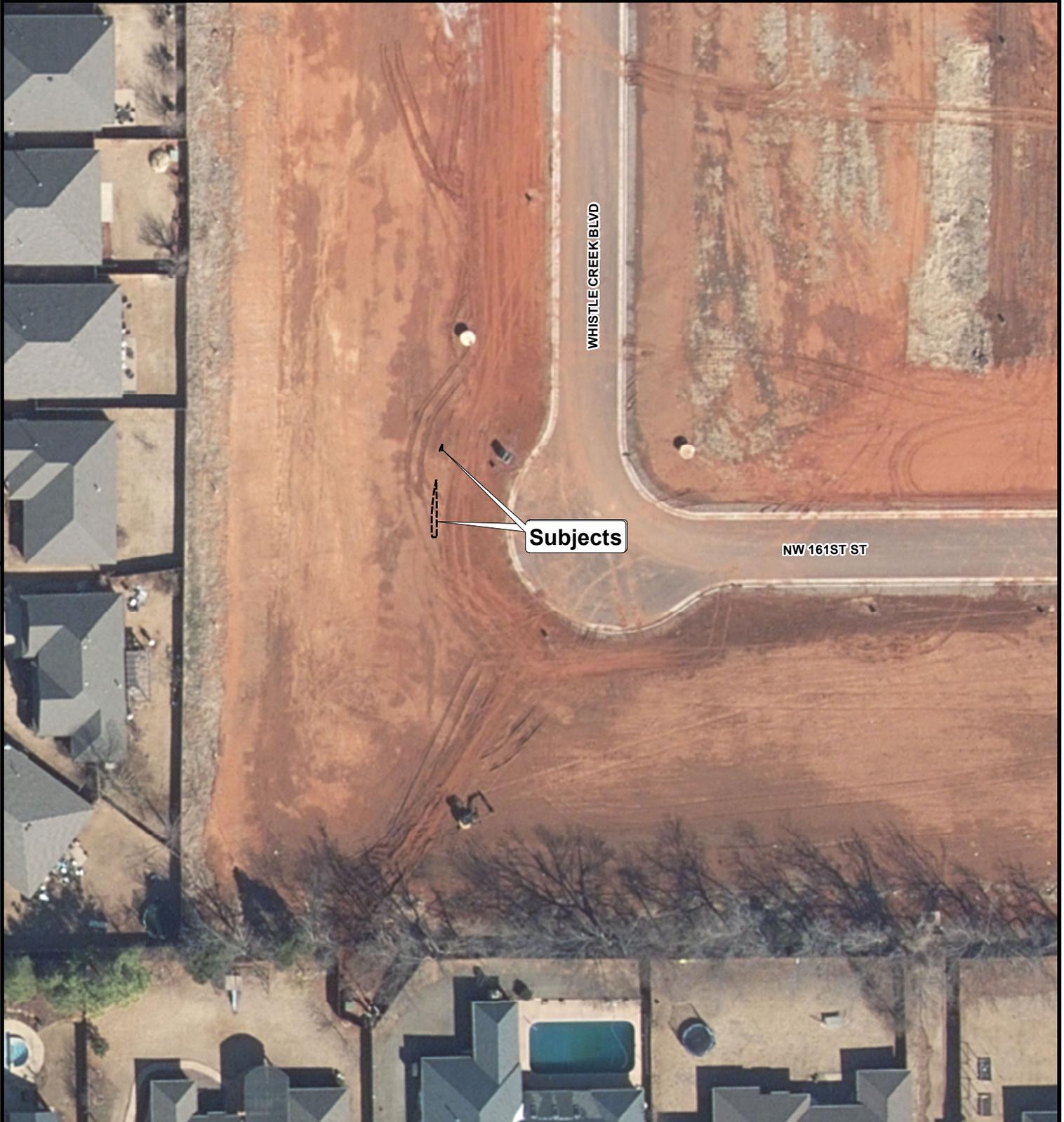
DRAWN BY: RW	FIELD QA/QC: RW	PROJECT #23608200	SCALE: 1" = 30'
CREW CHIEF: JE	DWG QA/QC: ZP	DATE: 9/18/2024	SHEET 1 OF 1

DRAWING: G:\23608200\_R\NORTH\NAD83\INFRAS\STRUCTURE\SURVEY\DWG\ALTA\TOPO\236082000.WHISTLE CREEK SUR.DWG  
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**Applicant: Kyle A. Dawson and Tiffany Peltier**



Aerial Photo from 2/2022

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The City of  
OKLAHOMA CITY

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