



City of Broken Arrow

Fact Sheet

File #: 17-2242, Version: 1

**Broken Arrow Planning Commission
05-25-2017**

To: Chairman and Commission Members
From: Development Services Department

**Title: Approval of amended covenants for recorded plat, PT15-103,
Riverstone Estates, 103 lots, 27.28 acres, RS-3, one-third mile east of
Olive Avenue, south of Tucson Street**

Background:

Applicant: Erik Enyart, Tanner Consulting, LLC

Owner: Double Eagle Estates, LLC

Developer: Double Eagle Estates, LLC

Location: one-third mile east of Olive Avenue, south of Tucson Street

Size of Tract 37.28 acres

Number of Lots: 103

Present Zoning: RS-3

Applicant has submitted a request to amend the covenants of, PT15-103, Riverstone Estates which was recorded in Tulsa County on March 10, 2017.

When the covenants were recorded, Section I.B.1 of the covenants stated:

“UNDERGROUND SERVICE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE UTILITY EASEMENT IF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE STREET RIGHT-OF-WAYS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.”

With this amendment, applicant is requesting to amend the plat and covenants of Riverstone Estates to include language to allow overhead poles for electric and communication services along Tucson Street. Section I.B.1, stated above, is requested to be deleted in its entirety and replaced with the following:

“OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED WITHIN THE UTILITY EASEMENT ALONG THE NORTH SUBDIVISION PERIMETER AND

THE RIGHT-OF-WAY FOR WEST TUCSON STREET. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE STREET RIGHT-OF-WAYS ASS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.”

Section V.C of the covenants of Riverstone Estates requires amendment to Sections I, II, and V of the covenants to be approved by the Broken Arrow Planning Commission, with the approval of the City of Broken Arrow.

Attachments: **1- Proposed amendment to Plat and Covenants of Riverstone Estates**
 1-Recorded plat and covenants of Riverstone Estate

Recommendation: Staff recommends approval of amended covenants Subsection B (1) of Section I of Riverstone Estates, as submitted.

Reviewed By: **Larry R. Curtis**

Approved By: **Michael Skates**

LRC:ALY