



# City of Broken Arrow

## Request for Action

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**File #: 17-2853, Version: 1**

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**Broken Arrow City Council  
Meeting of: 11-7-2017**

**To: Mayor and City Council Members**  
**From: Development Services Department**  
**Title:**

**Consideration, discussion, and possible approval of deferment of Excess Capacity Sewer Fee for the Tee Town Golf Ranch Plat, 28.1104 acres, A-1, east of 37<sup>th</sup> Street, one-third mile south of Kenosha Street**

**Background:**

As set forth in Article VII, Section 24-705 (Excess capacity sewer charge) of the City of Broken Arrow Code of Ordinances, a developer or builder shall pay an amount set forth in the Manual of Fees at the time of platting. Land that is in the 100-year floodplain and unbuildable or land that is developed as a golf course is exempt from the excess capacity sewer charge.

On July 1, 2002, the City Council approved a request from Tee Town Golf Ranch for a refund of the excess capacity sewer fee because the development would use rural water and a septic system. The approval also deferred payment of the fee until such time that the property changed hands or developed for a different use. The recorded Affidavit of Tee Town Golf Ranch, Inc., signed by the president of Tee Town Golf Ranch, Inc. and recorded in Wagoner County on August 13, 2002, affirms the decision of the City Council to defer payment of the excess capacity sewer fee.

On October 17, 2017, the City Council approved a request for a Specific Use Permit (SP-285) for a place of assembly for The Ridge at Broken Arrow located on the site of the former Tee Town Golf Ranch. The Ridge will utilize the existing buildings on the site, and will also use the site for outdoor recreation. There is an existing septic system serving the site, thus, the project site will not be connecting to the City sewer system. Consistent with previously approved Specific Use Permits, SP-285 was conditionally approved for a period of two years with an expiration date of October 17, 2019. Furthermore, the conditions of approval require the applicant to obtain approval of a Specific Use Permit should the applicant desire to construct any new facilities on the site.

On October 12, 2017, the Planning Commission approved a lot split for the Tee Town Golf Ranch Plat. Once recorded, the lot split will result in three parcels including Tract 1, 8.0539 acres; Tract 2, 12.0029 acres; and Tract 3, 8.0539 acres. The Specific Use Permit (SP-285) for the Ridge at Broken Arrow is approved for Tract 2. While the deferment of the excess capacity sewer fee is recommended for the entire Tee Town Golf Ranch Plat, owners of each tract of the plat will be responsible for their share of the fee at such time that development occurs.

Staff recommends that the City Council defers payment of the excess capacity sewer fee for the Tee Town Golf Ranch Plat until such time that new development occurs on the property. If Council defers the payment then the following will occur:

- The Ridge at Broken Arrow will utilize the existing buildings located on property known as the Tee Town Golf Ranch plat, and will not be connecting to the City sewer system;
- The Specific Use Permit (SP-285) for The Ridge at Broken Arrow, located on the former Tee Town Golf Ranch site, is approved for a period of two years with an expiration date of October 17, 2019; and
- Approval of a Specific Use Permit is required prior to the development of any new facilities on Tract 2; and
- The deferment of the excess capacity sewer fee is recommended for the entire Tee Town Golf Ranch Plat. Owners of each tract on the plat will be responsible for their share of the fee at such time that any type of development occurs.

**Cost:** \$0

**Prepared By:** Jane Wyrick, Planner II

**Reviewed By:** Development Services Department  
Assistant City Manager - Operations  
Legal Department

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** 1-Aerial Map  
2- City Council Minutes, July 1, 2002 (Item 7B)  
3-Affidavit of Tee Town Golf Ranch, Inc.  
4-Planning Commission Fact Sheet, SP-285, October 12, 2017  
5-Planning Commission Fact Sheet, BAL-2026, October 12, 2017  
6-Tee Town Golf Ranch Plat  
7-Lot Split Legal Descriptions and Exhibits

**Recommendation:**

Defer payment of the excess capacity sewer fee for the Tee Town Golf Ranch Plat until such time that new development occurs on the property.

MWS:JMW