



STAFF REPORT

DATE: 3/25/26
TO: City Council
FROM: Ted Henry, City Manager
SUB: Bel Aire Lakes Developers Agreement

Background:

The City of Bel Aire has entered into a Development Agreement with Sham Way LLC for the development of the Bel Aire Lakes Addition. All infrastructure, except for the entrance along Webb, has been installed and completed. The Developer has requested a Supplemental Agreement to allow limited early access to a portion of the development area in order to begin residential construction activities prior to completion of the entrance.

Purpose of Agreement:

The Supplemental Agreement allows the Developer to begin construction on select lots while infrastructure work is still ongoing, under specific conditions. This agreement does not modify the original Development Agreement but supplements it to accommodate early construction access.

Key Provisions:

- **Limited Access:** Construction traffic will be restricted to designated lots and must utilize the existing access route through Toben Drive.
- **Partial Substantial Completion:** The City will recognize partial completion of infrastructure in the specified areas to allow early building activity.
- **Developer Responsibilities:**
 - Responsible for repairing any infrastructure damage caused by construction activities
 - Responsible for completing or correcting any infrastructure deficiencies identified during the warranty period
- **Access Controls:**
 - Construction is limited to specific lots outlined in Exhibit A
 - Temporary fencing and contractor communication requirements are required to ensure compliance

Recommendation:

This Supplemental Agreement provides a balanced approach that allows development to proceed efficiently while protecting the City's infrastructure and limiting impacts to surrounding neighborhoods. By restricting access, requiring maintenance of haul routes, and holding the Developer accountable for any damages or deficiencies, the City mitigates risk while supporting continued growth and development. Staff recommends approval of the Supplemental Agreement to the Development Agreement for Bel Aire Lakes Addition.