



Common Council Agenda Item

Meeting Date:	June 2, 2026
Agenda Item:	Memo re Becker & Bolton DA Amendment
Staff Contact (name, email, phone):	Mason Becker, mbecker@whitewater-wi.gov , 262.443.4458

BACKGROUND

(Enter the who, what when, where, why)

As council members may recall, the City of Whitewater entered into a Development Agreement with Becker & Bolton LLC in 2023, to develop commercial buildings on a property within the Business Park on Parcel #292-0515-3434-001, located at 501 N Prospect Dr, at the corner of Prospect Dr and Endeavor Dr.

Development of the site did not occur as planned, and only minimal site grading had been completed prior to the final deadline date of the original Development Agreement, December 31, 2025.

Since that time, the developer has had conversations with city staff and did move forward with vertical construction of four of the buildings called for in the project plan. The developer has also applied with the State of Wisconsin for approval to construct the final three buildings.

According to the terms of the original agreement, a partial clawback payment is owed to the City. However, the terms of the Development Agreement also include a payment to the developer at completion of the project. The city attorney has negotiated an amendment to the Development Agreement which is up for your consideration.

While the delays to the project were unfortunate, staff believe this development will be a positive contribution within TID #10 and the Business Park, which will ultimately enhance the city's tax base. These additional commercial buildings will also be beneficial to the city's economic and business climate.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

- The original Development Agreement was approved by the Common Council on May 2, 2023.
- The CDA reviewed the status of this item at the December 10, 2025 regular board meeting.
- The CDA recommended that the Common Council approve the Development Agreement Amendment at the May 21, 2026 regular board meeting.

FINANCIAL IMPACT

(If none, state N/A)

- If approved, upon inspection of the completed buildings and issuance of occupancy permit, the City will make an incentive payment to the developer, not to exceed \$192,360.00. This is conditioned on the project being completed by September 30th, 2026.

STAFF RECOMMENDATION

- Staff recommend that the Common Council approve the Resolution for the Amendment to the Development Agreement with Becker & Bolton LLC

ATTACHMENT(S) INCLUDED

(If none, state N/A)

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- Original Development Agreement
 - Drafted Development Agreement Amendment
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