



REQUEST FOR ACTION

Revocable Permit Agreement with OI Rochester LIHTC I, LLC - Onward Civic Center Drive Housing

MEETING DATE:

May 4, 2026

ORIGINATING DEPT:

Public Works

AGENDA SECTION:

Consent Agenda

PRESENTER:

Dillon Dombrovski

Action Requested:

Authorizing a revocable permit agreement ("the agreement") with OI Rochester LIHTC I, LLC to allow two existing unoccupied residential dwellings to temporarily remain within a newly platted road right-of-way for 6th Ave NW.

Report Narrative:

OI Rochester LIHTC I, LLC (hereinafter referred to as "Onward") is purchasing certain lands from a private party, and has also entered into a purchase agreement with the City to facilitate a land swap, where the resulting collective lands that will be owned by Onward will be consolidated and platted as Onward Civic Center Drive Housing, Olmsted County, Minnesota. As part of the land swap, Onward will be dedicating 15 feet of additional public road right-of-way along the 6th Ave NW frontage of the property. The fee title of the underlying land will be conveyed to the City at a later date, consistent with the terms of the purchase agreement. Upon recordation of the Onward Civic Center Drive Housing plat, there will be two existing vacant houses that will encroach into the new 6th Ave NW public road right-of-way. In lieu of Onward removing the two vacant houses prior to the recordation of the plat, Onward has requested the City approve a Revocable Permit Agreement to memorialize the terms for removal of the houses prior to the City initiating a 6th Ave NW improvement project programmed for the 2028 construction season.

The agreement includes language for revocation and liability protection for the City. The agreement has been provided to the Onward for execution prior to execution and recording by the City. Recordation of this agreement would be after Onward has obtained fee title to the property and has recorded the plat of Onward Civic Center Drive Housing.

Priorities & Foundational Principles:

Public Safety
Economic Resilience

Policy Considerations & DEI Impact:

The permit and agreement with Onward are a requirement per the Rochester City Code of Ordinances (RCO), Sec. 9-2-5. The City strives to keep its public rights-of-way in a state of good repair and free from unnecessary encumbrances in order to provide for and protect the health, safety, and welfare of its citizens, and to ensure the integrity of its streets and the appropriate use of the public right-of-way. Chapter 9-2 of the RCO, Public Right-of-Way Management, imposes reasonable regulation on the placement and maintenance of facilities and equipment currently within the City's rights-of-way. This

chapter is intended to complement the regulatory roles of state and federal agencies. Under this chapter, persons using, excavating, and obstructing the rights-of-way will bear financial responsibility for their work. They will be required to maintain, support, protect, or move their facilities.

Prior Legislative Actions & Community Engagement:

January 5, 2026: Council Meeting - Land Swap Purchase Agreement - Onward Investors Value Fund III, LP approved

Fiscal & Resource Impact:

Public Works collects a document preparation and recording fee for the preparation and recording of the subject Revocable Permit Agreement.

Alternative Action(s):

No alternative actions suggested at this time.

Prepared By:

Mark Baker

Attachments:

[Cover Page](#)

[Revocable Permit Agreement - OI Rochester LIHTC I LLC - Houses Encroaching in new 6th Ave NW ROW](#)