



REQUEST FOR ACTION

Revocable Permit and Agreement with Regency Bakery Flats, LLC - Private Improvements in Easement and on City Property

MEETING DATE:

August 17, 2026

ORIGINATING DEPT:

Public Works

AGENDA SECTION:

Consent Agenda

PRESENTER:

Dillon Dombrovski

Action Requested:

Authorizing a revocable permit and agreement with Regency Bakery Flats, LLC for placement of private improvements within a utility easement and on City property.

Report Narrative:

Regency Bakery Flats LLC is the Owner of the property described as Lot 1, Block 1, Civic Center Plaza First, Olmsted County, Minnesota. The Owner plans to construct a multi-family apartment building on its property. As part of the development of the Owner's property, the Owner has requested permission to place new, or keep existing, private improvements ("Private Improvements") within a 75-foot utility easement on the Owner's property or on an adjacent parcel owned by the City - PIN 74.35.32.012059. The Private Improvements to be located in the subject easement include an existing retaining wall, an existing catch basin and storm pipe, and a transformer and transformer pad. The Private improvements to be placed on the City-owned parcel include an accessible picnic table, bike racks, a bike repair station, an existing storm pipe and outlet, and a 6-foot wide walk and a 5-foot wide walk from the Owner's property to the existing trail. The Owner will install and maintain the Private Improvements at the Owner's own expense, as well as any damage to public facilities. Public Works has reviewed the request and recommends in favor of the revocable permit and agreement ("the agreement"). The agreement includes language for revocation and liability protection for the City and has been executed by the Owner.

Priorities & Foundational Principles:

Inclusive Growth Management

Public Safety

Policy Considerations & DEI Impact:

The permit and agreement with Regency Bakery Flats LLC 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 rights-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 and will be required to maintain, support, protect, or move their facilities.

Prior Legislative Actions & Community Engagement:

This agreement is a stand-alone item. There are no prior actions or community engagement to report at this time.

Fiscal & Resource Impact:

Public Works collects a document preparation and recording fee of \$246 for the preparation and recording of the subject Revocable Permit and Agreement.

Alternative Action(s):

No alternative actions are suggested at this time.

Prepared By:

Jamie Miller

Attachments:

[Revocable Permit & Agreement - Regency Bakery Flats LLC - Private Improvements in Ease and City Land](#)