



REQUEST FOR ACTION

Revocable Permit and Agreement with Melissa and Richard Eagen - Private Improvements in Utility Easement

MEETING DATE:

April 20, 2026

ORIGINATING DEPT:

Public Works

AGENDA SECTION:

Consent Agenda

PRESENTER:

Dillon Dombrowski

Action Requested:

Authorizing a revocable permit and agreement ("the agreement") with Melissa and Richard Eagen for placement of a parking pad and shrubs within a utility easement.

Report Narrative:

Melissa and Richard Eagen are the Owners of the property described as Lot 11, Block 1, Shadow Run Second Subdivision, Olmsted County, Minnesota. The Owners have requested approval to partially construct a concrete parking pad and plant shrubs (collectively "private improvements") within a 10-foot wide utility easement located on the Owners' property. The placement of at least five shrubs between to the parking pad and the property line is a requirement of the Unified Development Code for the additional parking space on Owners' property.

The Owners are responsible for the installation and maintenance of the private improvements at their 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") as there is minimal impact to the easement and future maintenance of the storm pipe located within said easement. The agreement includes language for revocation and liability protection for the City. The agreement has been provided to the Owners for their execution prior to execution and recording by the City.

Priorities & Foundational Principles:

Economic Vibrancy & Growth Management
Public Safety

Policy Considerations & DEI Impact:

The permit and agreement with Melissa and Richard Eagen 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:

[Cover Page](#)

[Revocable Permit & Agreement - Eagen - Private Improvements in Utility Ease](#)