

# Larkin Hoffman

## Larkin Hoffman

8300 Norman Center Drive  
Suite 1000  
Minneapolis, MN 55437-1060

**General:** 952-835-3800  
**Fax:** 952-896-3333  
**Web:** [www.larkinhoffman.com](http://www.larkinhoffman.com)

November 30, 2022

Karla Henderson  
Community Development Director  
City of Bloomington  
1800 W. Old Shakopee Road  
Bloomington, MN 55431

Re: Request for Extension of Final Development Plan  
MOA Waterpark Development  
Case PL2019-184 / PL202200247  
Our File No. 42,626-00

Dear Ms. Henderson:

This firm represents MOA WP Development, LLC (“MOA WP Development”) with regard to this request to extend the approval of the Final Development Plans for the waterpark at Mall of America (the “Project”) for property located at 7900 24<sup>th</sup> Avenue. Please accept this letter as our client’s formal request to extend the approval of Final Development Plans for the Project for one year.

### Background

As you know, the global pandemic and has disrupted the supply chain for everything from furniture and fixtures, to building materials and steel. This disruption and the Fed’s aggressive inflation fighting efforts have dramatically increased the cost price of the Project. As a result, the City Council has previously extended the Final Development Plans for the Project. However, the Final Development Plans could not be further extended until the City Council acted on amendments to Section 21.501.03(f) of the City Code to provide administrative authority to do so based upon a finding that “the applicant is making a good faith effort to make progress on the final development plans.” Those amendments were adopted by the City Council at its regular meeting of November 28, 2022.

To underscore our client’s good faith efforts, MOA WP Development has worked diligently with City staff to finalize its entitlements, and construction plans for the Project. This work included detailed negotiation of project agreements, financing documents, project proforma, and negotiation of easements to the City, as well as an application to vacate existing easements. The investment in these entitlements is substantial and would be lost without extension of the Final Development Plans.

Karla Henderson  
November 30, 2022  
Page 2

---

Request

With the submittal of this letter, MOA WP Development hereby requests extension of the approval of the Final Development Plans for Project for one additional year to allow the Applicant to secure financing for Project and begin construction. The effect of your approval would be to extend the Final Development Plans for the Project from December 16, 2022, to December 16, 2023.

We are grateful for the assistance that City staff has provided under difficult and extraordinary circumstances. Please let me know if you have any questions.

Sincerely,



William C. Griffith, for  
Larkin Hoffman  
Direct Dial: 952-896-3290  
Direct Fax: 952-842-1729  
Email: wgriffith@larkinhoffman.com

Enclosure

cc: Kurt Hagen  
Glen Markegard, Planning Director