

Good Neighbor Agreement re: 4201 Arkansas Avenue
KRF Arkansas, LLC and Virginia Village Ellis Community Association (VVECA)
October 10, 2018 (DRAFT)

This agreement is entered into between KRF Arkansas LLC (“KRF”) and the Virginia Village Ellis Community Association (“VVECA”) for the purposes of outlining certain items that KRF agrees to work on and pursue with VVECA after the site is rezoned and through the site development plan process.

In addition to the requirements set forth in the Development Agreement with the City & County of Denver, KRF and VVECA agree to the following:

1. Community meetings and information – KRF will continue its close work and correspondence with VVECA and the neighborhood. KRF hold community meetings when information is available regarding the project, including but not limited to advance timing of key project milestones such as the (a) traffic study, (b) site development plan, and (c) construction planning. KRF will provide advance notice for scheduling and information-sharing/communication with VVECA. VVECA will also inform KRF of other neighborhood meetings where information from KRF on the project is requested or could be presented.
2. Preservation of existing trees on Arkansas Avenue – KRF will provide commercially reasonable efforts to preserve the existing trees on the site along Arkansas Avenue between Colorado Blvd and Birch Street. While there are many factors involved in order to save the trees—including but not limited to an arborist report, the health of the trees and obtaining a variance from the City & County for reversal of the sidewalk/tree lawn layout—KRF will employ its commercially reasonable efforts to preserve the existing trees.
3. Traffic data – in addition to the requirement of a Traffic Study as part of the City and County of Denver Development Agreement for this site, KRF will provide VVECA with traffic data and traffic counts for the intersection of Louisiana Avenue and Holly Street. Traffic counts for these intersections will be collected one (1) time a year for a period of five (5) years following the issuance of the first Certificate of Occupancy.
4. Tower beautification – KRF will work diligently with the State of Colorado and CDOT to come up with a financially viable plan to beautify the existing tower on the site along Birch Street, however the State is the ultimate approving authority, and KRF cannot guaranty that the State would accept any plan proposed by KRF.
5. Design standards and guidelines – KRF commits to enforcing design standards and guidelines through the site’s metropolitan district. KRF will work with VVECA and the neighborhood on visioning and ultimately employing a set of design standards and guidelines that provide guidance and protections that promote quality, contextual design with the end goal of reflecting positively for the neighborhood.
6. Relocation of RTD bus stop at SWC of Arkansas Avenue and Birch Street – KRF will provide commercially reasonable efforts to work with the Regional Transportation District (RTD) to relocate the bus stop at the SWC of Arkansas Avenue and Birch Street. While RTD is the ultimate approval authority, KRF will work with the City & County of Denver, Department of

Public Works and the community to relocate the bus stop to a location adjacent to the KRF Arkansas LLC site to allow for better multi-modal access.

7. Local retailers – KRF will provide commercially reasonable efforts to attract and retain local retailers and businesses to the site. For the project to be successful, a balance of national/credit tenants will be necessary to allow for opportunities with smaller/local business.
8. Pedestrian and bicycle access – While the site is not buffered by a regional bike route, KRF will work with the City & County of Denver and Department of Public Works to connect the site and allow for good bike and pedestrian connectivity. KRF, through the Development Agreement with the City & County of Denver, is performing a transportation demand management (TDM)/multi-modal study and will seek to incorporate a thoughtful TDM/multi-modal plan that prioritizes bikes and pedestrians for this site.
9. Parking protection – KRF will diligently work with Denver Public Works to explore a neighborhood parking plan for the area that would amend the City’s parking regulations to provide protections and planned regulations, as warranted by the City.
10. Construction planning and communication – while there is still a large amount of time before actual construction on the site would begin, due to the formulation of a business plan for the site, going through the site development plan process and other planning efforts (TDM, etc.), KRF commits to working with VVECA and the adjacent neighbors on construction coordination. Before construction and once general contractors are in place to build certain projects, KRF will provide a plan to VVECA that discusses site logistics, access, parking plan and hours of operation.
11. Community partner – KRF commits to being a positive community partner to VVECA and the neighborhood. Our interests are aligned with the neighborhood/area when it comes to transportation, mobility and other area-wide improvements. KRF will be a close working partner to VVECA and the neighborhood/community when it comes to partnerships with the City & County of Denver and seeking other City funded area-wide improvements that benefit the community.

Executed and effective as of the latest date set forth below:

KRF Arkansas LLC

Date: _____

President, Virginia Village Ellis Community Association

Date: _____