



## City of Danville

427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

# City Planning Commission

NOVEMBER 8, 2021

3:00 P.M.

CITY COUNCIL CHAMBERS – 4<sup>th</sup> FLOOR MUNICIPAL BUILDING

## AGENDA

- I. WELCOME AND CALL TO ORDER
- II. ROLL CALL
- III. ITEMS FOR PUBLIC HEARING
  - 1. Special Use Permit Application PLSUP 2021-328, filed by Tynita Strickland-Cain, requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 420 Van Buren Street, Parcel ID# 04089. The applicant requests a Special Use Permit for a family day care home.
- IV. PLANNING DIRECTOR'S REPORT
- V. APPROVE MINUTES FROM OCTOBER 12, 2021
- VI. ADJOURNMENT TO A WORK SESSION IN THE CITY COUNCIL CONFERENCE ROOM



**City of Danville**  
427 Patton Street, Suite 208  
Danville VA, 24541  
Phone: (434) 799-5260

## ***City Planning Commission***

### **STAFF REPORT**

**DATE:** November 3, 2021  
**TO:** Planning Commission  
**FROM:** Doug Plachcinski, AICP Planning Division Director + Zoning Administrator  
**RE:** SPECIAL USE PERMIT APPLICATION – 420 VAN BUREN STREET

Special Use Permit Application PLSUP 2021-328, filed by Tynita Strickland-Cain, requests a Special Use Permit for a family day care home in accordance with Article 3.E Section C.24. of the Danville Zoning Ordinance at 420 Van Buren Street, Parcel ID# 04089. The applicant requests a Special Use Permit for a family day care home.

#### **BACKGROUND**

This project is for a family daycare home at Van Buren Street. A family day care home is a home occupation permitted by special use permit in which the resident and not more than one additional employee cares for more than five (5) but no more than twelve (12) non-related children for less than a twenty-four (24) hour period.

#### **STAFF ANALYSIS AND RECOMMENDATION**

The homeowner applied for a family day care home in the OT-R Zoning District. The application is attached to this report.

The City may allow a family day care home in the OT-R Zoning District. (Chapter 41 Zoning Ordinance, Article 3.E. §C.24.) with a Special Use Permit.

The Comprehensive Plan puts the subject property in the North Main planning area. The future land use designation for the subject parcel is 'Medium Density Residential'. If approved, the Special Use Permit is in harmony with the OT-R Zoning District which is established to provide for single family residences which are compatible with the Comprehensive Plan's goals for harmonious new development, redevelopment, adaptive reuse, and revitalization in and around existing, older urban residential neighborhoods in Danville. The principal objective of the OT-R District is to maintain, reinforce and enhance the "sense of neighborhood" which exists in some of the best examples of the City's historic downtown residential areas and to promote new residential development of compatible scale, historic character and architectural massing.

The neighboring adjacent properties on Van Buren are also single family residential. If granted, this proposed Special Use Permit is in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development, is adequately serviced by streets, drainage, fire protection and public water + sewer, will not negatively impact any ecological, scenic, or historic community assets, and will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods.

Danville City Code allows City Council to apply any conditions necessary to assure that the proposed use will conform to zoning ordinance requirements. The Planning Division recommends approving this application as proposed and that the Planning Commission endorse Special Use Permit Application PLSUP-2021-328 for City Council approval.

#### CITY PLANNING COMMISSION ALTERNATIVE ACTIONS

1. Recommend approval of Special Use Permit Application as submitted;
2. Recommend approval of Special Use Permit Application with conditions per Planning Commission; or
3. Recommend denial of Special Use Permit Application.

#### ATTACHMENTS

- ✓ Application
- ✓ Data Sheet
- ✓ Property Ownership/Zoning Map
- ✓ Existing Land Use Map
- ✓ Future Land Use Map



**City of Danville**  
Community Development  
Planning Division

**PLANNING COMMISSION  
SPECIAL USE PERMIT APPLICATION**

**PLANNING DIVISION PROVIDED INFORMATION**

Application #: \_\_\_\_\_ PC Meeting Date: \_\_\_\_\_  
Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_  
Parcel ID: \_\_\_\_\_ Address: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Future Land Use: \_\_\_\_\_

**APPLICANT PROVIDED INFORMATION**

Property Location (address/ID#): 420 Van Buren Street  
Applicant: Tynita Strickland  
Applicant's Address: 420 Van Buren Street  
Applicant's Phone Number: 2676908018  
Applicant's E-mail: Tyniya79@gmail.com  
Describe Proposed Development: Family Child Care Home

**Article 6 Section B. General Standards and Criteria for Special Use Permit Review. Please explain how the Special Use Permit request meets the following review standards and criteria:**

1. The proposed use shall be: a. in harmony with the adopted Comprehensive Plan; b. in harmony with the intent and purpose of the zoning district in which the use is proposed to be located; and c. in harmony with the character of adjacent properties and the surrounding neighborhoods and also with existing and proposed development.

Does not apply

2. The proposed use shall be adequately served by essential public services such as streets, drainage facilities, fire protection and public water and sewer facilities:

Does not apply

3. The proposed use shall not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance:

Does not apply

4. The proposed use shall be designed, sited and landscaped so that the use will not hinder or discourage the appropriate development or use of adjacent properties and surrounding neighborhoods:

Does not apply

Amelia H. Kell 8-24-21

Applicant Signature

date

Property Owner Signature  
(if not applicant)

date

**Article 6. Section D. Application Requirements for Special Use Permit.**

1. An application for a special use permit shall be made by the owner, contract purchaser with the owner's written consent, or the owner's agent, of the property on which the proposed use is to be located. The application shall be submitted to the Director of Planning/Zoning Administrator, and shall be accompanied by the filing fee as established by the City Council.
2. If the request for a special use permit has been denied by City Council, a request in substantially the same form shall not be resubmitted within one (1) year of the date of denial.
3. The application shall include the following information:
  - a. A preliminary site plan in accordance with the Site Plan Regulations.
  - b. A description of the proposed use and, where applicable, the hours of operation and the proposed number of employees/patrons.
  - c. A written statement of proposed project compatibility with the following:
    - (1.) The Comprehensive Plan.
    - (2.) The applicable zoning district.
    - (3.) The surrounding properties.
    - (4.) Current and future neighborhood conditions.
    - (5.) Pedestrian and vehicular traffic patterns, on-site and off-site.
    - (6.) Adequate public facilities.
  - d. When requested by the Director of Planning/Zoning Administrator, the Planning Commission, or the City Council, the following information shall be provided by the applicant:
    - (1.) The architectural elevations and floor plans of proposed building(s).
    - (2.) Traffic impact analysis.
    - (3.) Fiscal impact analysis.
    - (4.) Parking and site circulation analysis.
    - (5.) Photographs of property and surrounding area.
    - (6.) Environmental impact statement.

SPECIAL USE PERMIT REQUEST DATA SHEET PLSUP 2021-328

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PUBLIC HEARING DATES: NOVEMBER 8, 2021  
PLANNING COMMISSION AT 3PM

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LOCATION OF PROPERTY: 420 VAN BUREN STREET

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PRESENT ZONE: OT-R OLD TOWN RESIDENTIAL

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PROPOSED ZONE: NO CHANGE

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ACTION REQUESTED: SPECIAL USE PERMIT FOR A FAMILY HOME DAYCARE

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PRESENT USE OF PROPERTY: SINGLE FAMILY HOME

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PROPOSED USE OF PROPERTY: SAME

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FUTURE LAND USE DESIGNATION: RESIDENTIAL

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PROPERTY OWNER (S): DEVON CAIN & TYNITA STRICKLAND-CAIN

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NAME OF APPLICANT (S): TYNITA STRICKLAND-CAIN

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PROPERTY BORDERED BY: RESIDENTIAL

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ACREAGE: 0.15 ACRES TOTAL

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CHARACTER OF VICINITY: RESIDENTIAL NEIGHBORHOOD

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INGRESS AND EGRESS: VAN BUREN STREET

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TRAFFIC VOLUME: RESIDENTIAL STREET – NO RECENT COUNTS

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## 2019 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:  
Planning Division  
11/3/2021

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.



## SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY



Prepared by:  
Planning Division  
11/3/2021

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## YEAR 2030 LAND USE PLAN FOR AREA SURROUNDING SUBJECT PROPERTY

Prepared by:  
Planning Division  
11/3/2021

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## PLANNING COMMISSION MINUTES

OCTOBER 12, 2021

### MEMBERS PRESENT

Mr. Khan  
Mr. Garrison  
Mr. Craft  
Mr. Petrick  
Mr. Dodson  
Ms. Evans

### MEMBERS ABSENT

Mr. Bolton

### STAFF

Doug Plachcinski  
Lisa Jones  
Clarke Whitfield

The meeting was called to order by Chairman Garrison at 3:00 p.m.

### ITEMS FOR PUBLIC HEARING

*Special Use Permit Application PLSUP2021-344, filed by Tonya Thomas filed on behalf of Jesse Lanier, requests a SUP at Parcel ID# 74131 for an accessory building or accessory use without a primary building located on the parcel in accordance with Article 3.E Section C.23. The applicant proposes a 12' by 40' storage building.*

Mr. Craft arrived at 3:07 pm.

Mr. Plachcinski stated we discovered before the meeting that the building was already ordered and placed on the site. I think there was a miscommunication with the inspections division about what permit would be required for with the applicant. She will have to apply for a building permit after the fact if granted the special use permit, but we do that all the time in the city.

Mr. Garrison opened the Public Hearing.

Ms. Tonya Thomas stated I apologize for the miscommunication. I have purchased a building for storing my lawn mower and things. I do crafts also and I have a whole lot of stuff that I need to put in a building. So, that's the reason why I kind of purchased it. I moved into my grandma's house which is a few houses down from where I live now, and the building is right across the street from that. It was an empty lot and I guess I took it upon myself and I didn't know the rules and the regulations. So, that's what I'll be doing with the building. It is a pretty big sized building. I was excited but now, I'm kind of disappointed again. I will do whatever I have to do.

Ms. Evans stated there is a garage door on the backside. Is that to draw lawn mowers up in there?

Ms. Thomas stated yes. I have one side for my lawn mower, weed eater and maybe when I change out my winter and summer equipment, I can store something there. Then the other part is for my crafts and things that I do.

Ms. Evans stated it almost looked big enough to put a car in.

Ms. Thomas stated yes. It is big and if I get a riding lawn mower, I will be able to get it up in there.

Mr. Garrison stated you are aware that there is a city right of way between the apartment property, and the property that you want to put the shed on. There is a right of way between there. There is Taylor Street that has not been finished and there is no actual street there, but the city owns property between the apartment buildings and where you want to put this storage shed.

Ms. Thomas stated yes. It is just like a rock road and I was wondering what Taylor Street was because I've never heard of that. I have seen Williams and Bradley Road, but I never knew that was the name of a road.

Mr. Garrison stated there are a lot of places in the city where there are rights of way where they had intended at some time to put a road and I think this was prior to annexation.

Ms. Thomas stated okay.

Mr. Garrison stated when it came into the city, it came in as public property. One of the things that you probably should consider is asking the city to vacate that and when they vacate that kind of property where they're not going to build a street, what they do is they divide the property between the property owners on both sides of the street and of course, it's your father, right?

Ms. Thomas stated yes.

Mr. Garrison stated he owns most of that street, including the properties on either side of it. So, it would just give you more property if the city vacated it. So, you might want to ask them to do that.

Mr. Garrison closed the Public Hearing.

Ms. Evans stated since I'm on the BZA, why does this not have to go to BZA since the building is already there?

Mr. Plachcinski stated because it's something that we can allow under this process and the ordinance. So, for instance, like the deck that violates the front yard setback, the ordinance can't permit that without a variance. In this case, we can allow this through the ordinance process without the visit to the BZA.

Ms. Evans stated even though that's the front yard, kind of sort of as well?

Mr. Plachcinski stated it would be an accessory building on the property. It is a peculiar situation. The ordinance unfortunately can't anticipate every nuance or thing that happens, and this is just one of those things I suppose.

Mr. Garrison stated we can't ask the city to vacate the property. The property owners around it would have to ask.

Mr. Plachcinski stated that would also remedy a lot of this.

Mr. Garrison stated it would.

Mr. Plachcinski stated I believe that is a not charge process and it's just an application through the engineering department.

Mr. Whitfield stated I think they charge the cost of the ad because they will have to advertise the disposition of that property. They will charge the cost of the ad.

Mr. Plachcinski stated whatever the actual newspaper publication cost is but other than that, we don't charge anything else for that.

**Ms. Evans made a motion for recommendation of approval for Special Use Permit PLSUP 2021-344 as submitted. Mr. Dodson seconded the motion. The motion was approved by a 6-0 vote.**

#### IV. PLANNING DIRECTOR'S REPORT

Mr. Plachcinski said there are two things that I wanted to mention to the Planning Commission this evening. The first is that you are all aware that we are going to update the Comprehensive Plan next year. It is a two-step process we are calling pre-planning and planning and right now we are in the pre-planning phase of the project. We have been working with a selective consultant to identify the scope. I included the scope of what we anticipate, and it will take about three months. We would like to take about three months and do a lot of background work for the projects. So, that when we go to the public and ask for input that we are well informed about things like physical condition and the city's capacities to do certain infrastructure improvements in advance and that sort of thing. So, rather than just showing up and saying, hey, what do you all want, we will have some information to discuss with different groups of stakeholders. *Mr. Plachcinski proceeded to go over the attached documents.*

#### VII. APPROVE MINUTES FROM SEPTEMBER 13, 2021

The September 13, 2021 minutes were approved by unanimous vote.

#### VIII. ADJOURNMENT

With no further business, the meeting adjourned at 3:25 p.m.

APPROVED \_\_\_\_\_

# SMITHGROUP

September 28, 2021

Mr. Doug Plachcinski, AICP  
Planning Director & Zoning Administration  
Community Development Department  
City of Danville, Virginia  
P.O. Box 3300  
Danville, VA 24543

RE: Danville Comprehensive Plan Pre-Planning

Dear Mr. Plachcinski,

On behalf of SmithGroup, Inc., ("SmithGroup") and our consulting team, we are pleased to submit this proposal outlining a focused effort to provide a pre-planning scope for the Danville Comprehensive Plan.

## UNDERSTANDING OF THE PROJECT

The pre-planning process outlined in this proposal is intended to inform the objectives, methodologies, and outcomes for a future comprehensive planning process by evaluating prevailing existing conditions, outlining future strategic opportunities to address those conditions, and conceptualizing a communication, storytelling, capacity building and engagement plan that will guide the future of the anticipated planning process. The following goals will be used to organize and focus the pre-planning effort:

- Information gathering and synthesis
  - Review existing studies and information at a high-level
  - Uncover issues and challenges, and opportunities to address in the plan
- Themes and approaches
  - Determine key themes and issues to address and approaches for addressing them during the plan process
  - Determine level of depth of analysis for each element/theme of the plan
  - Determine areas of focus including neighborhoods and development sites
  - Infuse equity as a cornerstone of the plan
- Communication, storytelling, and capacity-building
  - Identify communication issues and approaches to address them
  - Develop a branding and storytelling strategy for the plan
  - Begin to educate the community about the planning process
  - Build a constituency in support of the plan now, and its implementation after completion
- Process and engagement
  - Determine work plan, schedule, milestones, deliverables, and budget
  - Develop a community and student engagement strategy for the plan
  - Report out pre-planning results and accomplishments, receiving feedback
  - Define responsibilities and communications protocols

At its core, the pre-planning process will provide a lens through which thoughtful, evidence-based decisions may be made regarding the focus, methodology, and outcomes of a future planning process. It will also yield important insight to ensure key stakeholders are informed and prepared to participate in the planning process and provide constituent building and case-making information to garner community-wide support.

For ongoing coordination of data acquisition, analysis, communication, as well as identification of strategic opportunities and vision, the SmithGroup Team will coordinate with a Core Team (comprised primarily of City Staff), Advisory Group (comprised of City Leadership and other key community leaders), Community Ambassadors, and Stakeholders. SmithGroup anticipates working primarily with a single point

# SMITHGROUP

of contact (Doug Plachcinski) to provide efficient communication throughout the process. The Advisory Group's role will be to provide insight, information, and perspectives to inform the SmithGroup Team's work and support important data identification and analyses, as well as constituency building and information gathering efforts from Stakeholders and Community Ambassadors.

The following Scope of Services outlines the production tasks, coordination efforts, and deliverables to be yielded during the pre-planning process.

## SCOPE OF SERVICES

We anticipate two (2) primary in-person community visits as part of this initial pre-planning phase that includes 12 non-sequential tasks outlined below. The first in-person visit will occur with nearly the full SmithGroup Team (including consultants) as part of the project kick-off. The second will occur towards the end of the pre-planning exercise and will include leadership and community report-out and additional ambassador training. The remainder of stakeholder interviews will be conducted virtually. At the completion of this approximately three-month process, we anticipate having the information, themes, and communication and engagement approach solidified to continue the comprehensive plan for Danville in 2022.

### TASK 1: DISCOVERY AND ORGANIZATION

- Conduct a two (2) to three (3) day on-site kick-off meeting with key SmithGroup Team and Core Team project representatives to review project goals, scope, schedule, and communication protocols. In addition, we anticipate a community tour, a series of stakeholder and listening sessions (described in the following tasks), Advisory Group and Community Ambassador kick-off, and team workshop.
- Review existing City plans and studies at a high-level.
- Collect and organize GIS and other relevant data for each component of the plan. List of data needs to be provided to City by SmithGroup Team.
- Participate in bus tour of the city and neighborhoods with community members as tour guides.

### TASK 2: CONSTITUENCY AND CAPACITY BUILDING

- Create/finalize a list of stakeholders and community groups for pre-planning interviews.
- Understand and document city structure, roles, responsibilities, programs, and procedures.
- Determine Advisory Group members, roles, and process for engagement.
- Hold training session for Advisory Group members.
- Determine a list of Community Ambassadors and other representatives, their roles, and process for engagement.
- Hold training session for Community Ambassadors.
- Build on previous work completed by the community health group. Determine who are partners in planning and who are community advocates for the plan.

### TASK 3: STORYTELLING AND COMMUNITY ENGAGEMENT

- Conduct up to four (4) stakeholder interviews to identify storytelling and community engagement issues and opportunities.
- Develop a complete storytelling and community engagement strategy for the plan.
- Develop a plan for engaging college students and youth in the process.

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## TASK 4: ECONOMIC DEVELOPMENT

- Conduct up to four (4) stakeholder interviews to identify economic development issues and opportunities. Target groups include industry/cluster representatives and associations, MWBE entrepreneurs, small business groups, BSOs, city economic development representatives, etc.
- Develop profile of demographic and socioeconomic characteristics and trends.
- Perform consumer expenditure estimation analytics.
- Compile and analyze workforce and commuter flow characteristics and trends.
- Develop preliminary overview of the city's and region's economies and longer-term industry/cluster strengths, weaknesses, and trends.
- Conduct retail competition analysis, comparing submarkets inside of the city and region.
- Assess and map agricultural strengths and trends in Danville and broader food shed.
- Summarize entrepreneurship rates by MBE, WBE, and specific race/ethnicity crosstabulations over time, where data allow.
- Assess the preliminary impacts of the COVID-19 pandemic on the city and regional economy.
- Develop profile of small business lending ecosystem and small farm lending activity and trends.
- Assemble, evaluate, and map existing land, building, assessor's data to understand data integrity and gaps; assess need for on-the-ground surveying.
- Outline ongoing and planned development pipeline.
- Identify preliminary neighborhoods/districts for focused efforts.
- Determine final scope for the economic development component of the plan.

## TASK 5: LAND USE AND PHYSICAL CONDITIONS

- Set up base plans and 3D model for use in analyses of physical conditions and future scenario planning.
- Conduct up to two (2) stakeholder interviews to identify land use and urban design issues and opportunities.
- Conduct initial high-level land use analyses and identify gaps and barriers to be addressed in the plan.
- Determine communities, neighborhoods, focus areas, or sites to be addressed in more detail in the plan.
- Compile case studies for activating vacant lots that are not used for housing.
- Determine final scope for addressing land use and urban design in the plan.

## TASK 6: HOUSING



- Conduct up to three (3) stakeholder interviews to identify housing issues and opportunities.
- Synthesize and summarize existing housing studies, tools, and initiatives currently underway.
- Conduct initial high-level asset mapping and gap analysis to be addressed in the plan.
- Determine final scope of housing component of the plan.

## TASK 7: PARKS AND RECREATION

- Conduct up to three (3) stakeholder interviews to identify parks and recreation issues and opportunities.
- Assess potential gaps and barriers to park recreational opportunities.
- Determine final scope for the parks and recreation component of the plan.

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## TASK 8: COMMUNITY HEALTH

- Conduct up to three (3) stakeholder interviews to identify community health issues and opportunities.
- Synthesize and summarize community health and health equity studies, tools, and initiatives currently underway.
- Synthesize and summarize city educational system, structures, and services.
- Identify strategies to support and promote community health initiatives in the plan process.
- Determine final scope and strategy for community health to be included in all components of the plan.

## TASK 9: SUSTAINABILITY AND RESILIENCY

- Conduct up to three (3) stakeholder interviews to identify sustainability and resilience issues and opportunities.
- Analyze historic and future projected climate conditions including temperatures, precipitation, snowfall.
- Conduct a baseline and gap analysis of current sustainability/resilience conditions.
- Conduct a high-level vulnerability analysis of climatic conditions, shocks, and stresses.
- Collect information and data on city emergency management practices.
- Determine final scope and strategy for the sustainability and resilience component of the plan.

## TASK 10: MOBILITY AND CONNECTIVITY

- Conduct up to three (3) stakeholder interviews to identify mobility and connectivity issues and opportunities.
- Investigate past and current transit plans, funding, and planned opportunities.
- Investigate changes in ADT, traffic patterns, and transit ridership during COVID and attitudes toward long-term impact/issues.
- Investigate economic factors influencing transportation choices and options.
- Investigate issues that might be impacting safety and accessibility.
- Investigation sites to understand current roadway typologies, major trip generators and the state of current assets.
- Determine final scope of mobility component of the plan.

## TASK 11: COMMUNICATION/MESSAGING

- Conduct up to three (3) stakeholder interviews to identify communication and messaging issues and opportunities.
- Create a branding strategy for the process and initial materials (logo, name).
- Determine materials, process and infrastructure needed to educate the public about the planning process, their role in it.
- Determine requirements for a website and engagement platform for the plan.
- Determine final scope for communication and messaging during the plan.

## PRE-PLANNING DELIVERABLES

The final pre-planning document will include a written and visual narrative, maps, infographics, and resources identified in the Scope of Services, including:

- Report documenting pre-planning findings and resulting recommendations for the plan process.
- Document detailing plan stakeholder and community engagement process.
- Proposed plan scope of work, work plan, deliverables, and schedule.



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## ASSUMPTIONS

- Note: All workshops and meetings outlined herein are assumed to be a mix of in-person and digital platform/videoconference, given the ongoing COVID-19 pandemic. To do this, SmithGroup will leverage its suite of online digital visualization and communications platforms to support effective coordination and strategy development.
- The City of Danville will be the Client.
- The Advisory Group will be composed of key local public, private, and institutional leaders, including the City leadership, at the discretion of Doug Plachcinski.
- The Client will be the contracting agent for the SmithGroup Team. SmithGroup will be Prime Consultant for the SmithGroup Team and will hold the sub-consultant agreements for all subconsultants.
- The City will assist the SmithGroup Team with:
  - Data acquisition and processing, as well as scheduling and printing in preparation for workshops (if needed).
  - Stakeholder or community engagement coordination that may occur as part of the pre-planning process.
  - Scheduling in-person meetings and workshops, as well as securing venues and any necessary refreshments. Venue and refreshment costs are not included in this Scope of Work.
- The Client will ensure necessary data resources will be available to the SmithGroup Team at the start of the project and throughout its duration. It is anticipated that the City and partners will provide information necessary to complete the pre-planning scope. Specific data listings will be developed. Generally, data will include:
  - Spatial and tabular data (Shapefile, ArcGIS, tabular or similar):
    - Parcel Data: Assessor, ownership, tax status, vacancy
    - Structures: Condition, occupancy, type and size
    - Land Use and Zoning
    - Transportation and Mobility: Transit routes and types, non-motorized and vehicular circulation, and traffic volume
    - Open Space: Parks, landmarks, public spaces, environmental conditions
  - Reports, research, and plans: including previous master plans and economic cluster studies and strategies
- The City will identify any known initial data gaps, errors, or questionable reliability.
- All content, in draft and final form, will be issued to the City in electronic format.
- The draft and final pre-planning document provided by the SmithGroup Team will be thoroughly reviewed and edited, but we understand some minor errors and omissions may be present. Such items may be addressed later as deemed reasonable by the City through follow-up revisions and updates under a separate agreement.
- Common in-progress documentation will be shared and delivered in programs available in the Microsoft Windows Suite (i.e., Word, Excel, PowerPoint). Marketing and communications collateral provided by the SmithGroup Team will be generated in a range of formats, but will be typically shared in PowerPoint, Adobe InDesign, and Adobe PDF. Final pre-planning documentation will be provided in Adobe InDesign and Adobe PDF.
- This proposal does not include final printing or publishing costs.

## OWNER RESPONSIBILITIES

Doug Plachcinski will serve as a primary point-of-contact for SmithGroup to provide initial direction and coordination. If other points-of-contact within the City or other organizations are needed for specific components of work, they will be identified before work begins, and will be responsible for direction and correspondence. If additional information, including electronic files, are needed for SmithGroup to complete the requested work (other than those identified in this proposal), the City will support efforts to identify and procure this information.

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## PREPARATION OF DIGITAL DATA

In the event SmithGroup is requested to prepare digital data for transmission to the Client's consultants, contractors or other Client-authorized recipients, the Client acknowledges that, due to the limitations of the digital data software, not all elements of SmithGroup's services may be represented in the digital data, this being in the sole discretion of SmithGroup. Accordingly, although SmithGroup will endeavor to represent all material elements of SmithGroup's services in the digital data, any use shall not relieve the Client's consultants, contractors, or other Client-authorized recipients of their respective obligations. The Client agrees that it will include this provision in any agreements with its consultants, contractors, or other Client-authorized recipients, to whom digital data is provided.

## SCHEDULE

Upon receipt of a signed authorization to proceed, SmithGroup and its team of partners are prepared to begin work. We anticipate a three (3) to four (4) month process. (Note: The schedule to complete the pre-planning effort is predicated on timely receipt of data and other necessary resources and direction from the City at the outset of the work.) If additional time is required to assemble data SmithGroup kindly requests additional time to complete analysis associated with the scope of services.

## PROFESSIONAL SERVICES FEE

The City of Danville shall compensate SmithGroup for the scope of services outlined above a fixed lump sum fee of \$159,500 (one hundred fifty-nine thousand five hundred dollars). This lump sum fee is inclusive of all labor and expenses. We anticipate this scope represents approximately 20 to 25% of the total anticipated fee of the final comprehensive master plan.

## CONSULTANTS

SmithGroup anticipates using the following consultant(s) for this project and the costs will be borne by SmithGroup and are included in SmithGroup projected fee.

- Progressive A&E
- Mass Economics
- &Access
- Kofi Boone, NC State Just Communities Lab
- Applied Storytelling
- PROs Consulting

## ADDITIONAL SERVICES

Requests for additional services or staff will be documented by SmithGroup (if given verbally), and the work will commence upon the City of Danville's approval of an estimated fee for that effort or, if not agreed otherwise, the City of Danville shall reimburse SmithGroup on an hourly basis of SmithGroup's project staff actively engaged for all personnel hours worked on the project.

## PAYMENTS

Invoices will be prepared monthly based on services rendered.

All payments due to SmithGroup shall be made monthly upon presentation of the statement of services rendered. All payments due SmithGroup under this agreement shall bear interest at one-and one-half (1½%) percent per month commencing thirty (30) days after the date of billing.

# SMITHGROUP

## LIMITATION OF LIABILITY

NOTWITHSTANDING ANYTHING TO THE CONTRARY AND TO THE FULLEST EXTENT PERMITTED BY LAW, THE CITY OF DANVILLE AGREES THAT THE TOTAL LIABILITY OF SMITHGROUP IN CONNECTION WITH THIS AGREEMENT, WHETHER IN CONTRACT, TORT, NEGLIGENCE, BREACH OR OTHERWISE, SHALL NOT EXCEED AND SHALL BE LIMITED TO THE TOTAL COMPENSATION RECEIVED BY SMITHGROUP UNDER THIS AGREEMENT.

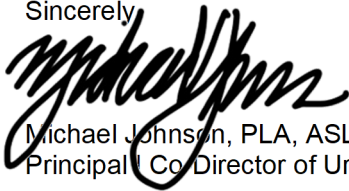
## MISCELLANEOUS PROVISIONS

SmithGroup will use reasonable professional efforts and judgment in responding in the design to applicable federal, state and local laws, rules, codes, ordinances and regulations. The City of Danville acknowledges that certain state and local laws, rules, codes, ordinances and regulations may reference standards that are outdated and/or contrary with today's industry requirements. SmithGroup cannot and does not warrant or guarantee that the Project will comply with all such outdated and/or contrary federal, state and local laws, rules, codes, ordinances and regulations.

Notwithstanding anything to the contrary, nothing contained herein shall be construed: i) to constitute a guarantee, warranty or assurance, either express or implied, that the SmithGroup's Services will yield or accomplish a perfect outcome for this Project; or ii) to obligate the SmithGroup to exercise professional skill or judgment greater than the standard of care exercised by other similarly situated design professionals currently practicing in the same locale as this Project, under the same requirements of this Agreement; or iii) as an assumption by the SmithGroup of liability of any other party.

Thank you for the opportunity to assist with this important work. If you have any questions regarding this proposal, please do not hesitate to contact us.

Sincerely,



Michael Johnson, PLA, ASLA  
Principal / Co-Director of Urban Design

This document will serve as an agreement between us, and you may indicate your acceptance by signing in the space provided below and returning one (1) signed copy for our files.



SmithGroup (Signature)

City of Danville (Signature)

Emily S. McKinnon, Principal | Director of Operations  
(Printed name and title)

(Printed name and title)

September 28, 2021  
Date

Date

City of Danville

**Danville Comprehensive Plan Pre-Planning**  
Danville, Virginia

SmithGroup