Planning Commission
Regular Meeting
Agenda Item 5.a.

Agenda Item: **Application for a Special Exception– SE #25-03, 1207 Sunrise Court, to consider a special exception to permit a home-based child daycare use within the PD-R, Planned Development-Residential, zoning district (rescheduled from January 26, 2026)**

Meeting Date: February 23, 2026

Category: Public Hearings

Prepared by: Fadrique Iglesias, Community Planner, David Stromberg, Zoning Administrator

Description:
This application is to consider a special exception to permit a home-based child daycare use within the PD-R, Planned Development-Residential, zoning district. The proposed use would increase the maximum number of children enrolled from seven to twelve. The property is zoned PD-R, Planned-Development Residential District. The property is designated in the Herndon 2030 Comprehensive Plan as "Neighborhood Conservation." The 8,929 square-foot lot is located on the south side of Sunrise Court, at the intersection with Morningside Court. This item was previously advertised for January 26, 2026 meeting, which was canceled due to inclement weather. The public hearing will be held at the February 23, 2026 meeting.

Background/Timing Impact:
The applicant applied for and received approval of a Zoning Inspection Permit (ZIP #25-045) to operate a home-based childcare use with a maximum enrollment of seven children at the subject property. ZIP #25-045 was issued on September 22, 2025. The daycare currently operates between the hours of 7:00 a.m. and 6:00 p.m., which complies with the standard allowances under Sec. 78-80.5(b), Home-Based Business, Childcare or Daycare, and may be approved administratively by Town staff. An increase in enrollment to a maximum of 12 children requires the approval of a special exception. Special exception applications are subject to review and recommendation by the Planning Commission, with final action taken by the Town Council. Prior to the Planning Commission’s consideration of this application, the Town had not received any complaints related to the daycare operation at this address.

The Four Seasons community is designated as “Neighborhood Conservation” in the Herndon 2030 Comprehensive Plan. The designation underscores the town's commitment to preserving and maintaining the character and quality of existing residential areas, while supporting accessory uses associated with residential

neighborhoods such as home-based businesses and permitted accessory dwelling units.

Update from the January 26, 2026 agenda:

1. A home-based business may occupy no more than 33 percent of the floor area of the principal dwelling, up to a maximum of 1,000 square feet, inclusive of any accessory structures (Town Ordinance Sec. 78-80.5). Thirty-three percent of the 1,510 sq. ft. of total floor area* equals approximately 498.3 sq. ft., which is greater than the 470 sq. ft. proposed for the childcare use.
2. Condition #5 updated: Child drop-off and pick-up are preferred to occur in the driveway. Double-parking on Sunrise Court is prohibited at all times.

Fiscal Impact:
None

Legal Impact:
The zoning ordinance allows a home-based daycare for up to 12 children enrolled with the granting of a special exception permit by the town council, in accordance with Sec. 78-80.5.

Staff Recommendation/Next Steps:
Staff recommends that the Planning Commission approve the Special Exception with conditions. Several home-based daycares have been operating nearby since 2010 without negative impacts on the surrounding neighborhood. The expansion of the number of children is minor enough to not generate negative impacts.

The following alternatives are available to the Planning Commission for its decision on SE #25-03:

1. Recommendation for approval.
2. Recommendation for denial. The daycare continues its operations with seven children as a by-right use.
3. Continuance of the application to the next regular meeting.

Attachments:
1. Staff Report
2. Resolution (Proposed)
3. Legal Ad (Rescheduled due to inclement weather)
4. Presentation