Planning Commission
Regular Meeting
Agenda Item 4.a.

Agenda Item: **SPECIAL EXCEPTION – SE #26-03, 310 Missouri Avenue, to consider a special exception to permit a home-based daycare use within the R-10, Residential Single-Family District**

Meeting Date: June 22, 2026

Category: Public Hearings

Prepared by: Aaron Zoellick, Zoning Services Specialist

Description:
This is an application for a special exception to permit a home-based child daycare use within the R-10 residential single-family district. The proposed use will increase the maximum number of children enrolled per day from 7 to 12, and expand the hours of operation from 6:00 a.m. to 10:00 p.m. The 11,572 square-foot lot is located on Missouri Avenue between Stuart Court and Mississippi Drive.

During the June 8 work session, the Planning Commission raised questions regarding the criteria in Sec. 78-155.3(e)(1)(b), specifically, state requirements for available indoor wall-to-wall space per child. Virginia requires 35 square feet of indoor wall-to-wall space per child (8VAC20-780-310). Section 78-80.5(a)(3) of the zoning ordinance requires that "a home-based business shall occupy no more than 33 percent of the floor area of the principal dwelling, up to a total maximum floor area of 1,000 square feet...." The subject property has 2,432 square feet of above-grade living area. The property currently has 265 square feet of space dedicated to home-based daycare use. This is compliant with both the zoning ordinance and state requirements for the seven children permitted under ZIP #26-013. As enrollment increases to the 12 children permitted under a special exception, the applicant would need to increase the wall-to-wall space available to a minimum of 420 square feet while staying under the 803 square feet maximum permitted by the zoning ordinance.

Background/Timing Impact:
The applicant currently operates a home-based daycare for up to seven (7) children under Zoning Inspection Permits (ZIP) #26-008 and #26-013.

Fiscal Impact:
Home-based businesses provide standard fees and taxes to the Town.

Legal Impact:
If approved, the conditions, as well as the other applicable requirements found in the

zoning ordinance, will be enforceable by zoning enforcement staff.

Staff Recommendation/Next Steps:
Staff recommends that the Planning Commission recommend approval, with conditions, to the Town Council.

Attachments:
1. Staff Report (June 8 Work Session)
2. Resolution (Proposed)
3. Pre-Application Materials
4. Pre-Application Summary Notes
5. Legal Ad
6. Presentation