Planning Commission
Regular Meeting
Agenda Item 4.b.

Agenda Item: **Application for a Special Exception, SE #26-02, 1001 Jeff Ryan Drive, to consider a special exception to permit a home-based child daycare use within the R-10, Residential single-family district**

Meeting Date: April 27, 2026

Category: Public Hearings

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

Description:
The application is to consider 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, increase the number of nonresident employees from one to two, and increase the maximum area of the daycare from 1,000 square feet to 1,103 square feet. The property is zoned R-10, Residential single-family district. The property is designated in the Herndon 2030 Comprehensive Plan as "Neighborhood Conservation." The 21,625 square-foot lot is located on the northwest corner of Herndon Parkway and Sterling Road.

Background/Timing Impact:
Update from the work session:

During the Planning Commission working session, the Commission's discussion focused primarily on safety concerns related to the property—specifically, the condition of the perimeter fence. Several members noted that the fence appeared to be in a deteriorated condition and expressed concern about the potential risk of children leaving the property. This matter is also addressed under the Code of Virginia (8VAC20-800-500, Outdoor Play Area and Equipment) and the Town Zoning Ordinance (Sec. 78-80.5(b)(3), Play Area), which requires that outdoor play areas be enclosed by a non-climbable barrier at least four feet in height when located near potential hazards. Additionally, members of the Planning Commission suggested installing an interior barrier within the property to further prevent children from accessing potentially hazardous areas.

Based on these concerns, the fence will need to be repaired or replaced, if deemed deficient upon inspection, in order for the daycare operation to proceed. Ms. Moretti indicated that she is working over the next few days to verify and demonstrate the good condition and functionality of the fence, but that she does not want to install a second,

interior fence.

A document submitted by the property owner to the Department of Public Works has been included as an attachment. This complaint outlines concerns the property owner has regarding the property.

Staff is recommending the Planning Commission continue this item to the May 18th Planning Commission regular session to resolve the fencing requirement and additional concerns raised by the planning commission. Ms. Moretti has not initiated operations of the proposed home-based childcare within the Town and continues to operate her business in Sterling.

Fiscal Impact:
Taxes can be collected on home-based businesses.

Legal Impact:
Pursuant to Section 78-153.2(i)(2) of the zoning ordinance, the Planning Commission has the option of continuing the public hearing to a date certain.

Staff Recommendation/Next Steps:
Continue the public hearing to May 18, 2026.

Attachments:
1. Staff Report
2. 1001 Jeff Ryan Dr SE26-02 Plan and Plat
3. Draft Resolution Approval (Proposed)
4. Draft Resolution Denial (Proposed)
5. 1001 Jeff Ryan Drive Complaint
6. Legal Ad