Special Exception (SE) #26-03
310 Missouri Ave
Home-Based Child Daycare Use

Planning Commission Working Session
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LIVE DIFFERENTLY. TOWN OF Herndon VIRGINIA

Site Description

- 11,572 square feet
- R-10, Residential Single-Family
- Neighborhood Conservation



Current Operation

ZIP #26-008 granted to operate a home-based child daycare with a maximum enrollment of four children

ZIP #26-013 granted to operate a home-based child daycare with a maximum enrollment of seven children

To date, the Town has not received any complaints related to the daycare at this address.





Proposed Operations

Childcare Area:
- Ground level of the home accessed through the main entrance

Number of Employees:
- Currently one (applicant)
- Will need to hire an additional employee at full enrollment

Proposed hours:
- Monday – Friday, 6:00 a.m. – 10:00 p.m.

Outdoor Play Area:
- Meets the minimum requirement of 75 sq. ft. of outdoor play area per child enrolled (900 sq. ft. minimum requirement. Rear yard is ~5,500 sq. ft.)

Space Dedicated to Home-Based Business:
- The applicant has indicated that approximately 265 sq. ft. of the ground level will be dedicated to the day care use.



Proposed Special Exception

Number of Children:

- The zoning ordinance requires a special exception for more than seven children per day enrolled in a home-based daycare center in a single-family detached dwelling. A maximum of 12 children are allowed.
- The applicant is requesting the maximum.

Hours of Operation:

- The zoning ordinance limits the hours of operation to between 6:00 a.m. and 9:00 p.m.
- The applicant is requesting hours of operation of 6:00 a.m. – 10:00 p.m.



Microsoft Stock Image

Staff Analysis

	Criteria Sec. 78-155.3(e)(1)	Assessment	Reasoning
a.	Is consistent with the Comprehensive Plan	Meets	The proposed use will be in conformance with the Comprehensive Plan policies on provision of good and services to the local community and positive economic benefits of new businesses.
b.	Is free of conflict with any provision of this chapter and related regulations or any other applicable local, state, or federal laws and regulations	Meets	The proposed Special Exception uses are provisioned within the base zoning district and do not create any substantial conflicts with other regulatory requirements. The use and business operations will be conditioned to ensure the use continually meets the purpose and intent of the R-10, Residential Single-Family zoning district.
c.	Does not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.	Meets with conditions	The proposed uses are generally compatible with the site / neighborhood. The proposed conditions will limit the impact to parking and vehicle trips by restricting maximum number of clients.
d.	Consistent with the purpose and intent of the zoning district in which it is located or will improve compatibility among uses and will ensure efficient development within the town.	Meets	The proposed conditions will remain compatible with the intent of the uses of the R-10 district.
e.	Minimizes adverse visual impact of the proposed use on adjacent lands.	Meets	The proposed conditions will not generate visual changes to the site.
g.	Minimizes adverse impact on surrounding lands regarding service delivery, parking and loading, odors, noise, glare, and vibration, and should not create a nuisance.	Meets with conditions	Staff recommended conditions to limit the distribution of customers to prevent negative impacts to parking, drop-off/pickup, and noise.
h.	Avoids significant adverse impacts on the property values of surrounding lands or substantially and permanently injures the use of neighboring property for those uses that are permitted in the zoning district.	Meets	The proposed use has virtually no external impacts and provides a needed community service.
i.	Does not significantly and adversely impact the natural environment, including but not limited to, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.	Meets	The proposed conditions will not involve any expansion of floor area or conversion of pervious area to impervious area.

Proposed Conditions

#	Condition	Criteria Addressed
1.	The site shall be developed and maintained in substantial conformance with the submitted special exception application that is 33 percent or less of the gross floor area in conformance with Section 78-80.5 of the zoning ordinance.	C and G
2.	The hours of operation are permitted to extend from 6:00 a.m. to 10:00 p.m.	C and G
3.	The total number of children present on site for the home-based daycare use shall not exceed 12 enrolled. The state-required ratio of employees to children shall be maintained.	C and G
4.	All children enrolled in the daycare shall be within the fenced playground area when playing outside.	C and G
5.	Child drop-off and pick-up shall be limited to the driveway or curb directly in front of the residence.	C and G
6.	No signage shall be permitted.	G

Staff Recommendation

- The Planning Commission may consider recommending approval of SE #26-03 with conditions to the Town Council.