



PLANNING COMMISSION REGULAR MEETING AGENDA

Town Council Chambers Building
765 Lynn Street, Herndon, VA 20170

Monday, June 22, 2026 | 7:00 PM

1. Call to Order

2. Approval of Minutes

- a.
 - i. May 4, 2026, Planning Commission Work Session Minutes
 - ii. May 18, 2026, Planning Commission Regular Meeting Minutes

3. Comments

- a. Comments from the Staff Members
- b. Comments from the Commissioners
- c. Comments from the Public

Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

4. Public Hearings

- a. 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
- b. SPECIAL EXCEPTION – SE #26-04, 865 3rd Street, to consider a special exception to permit a home-based business use within the R-15, Residential Single-Family District

5. Adjournment

Agenda Item:

- i. May 4, 2026, Planning Commission Work Session Minutes
- ii. May 18, 2026, Planning Commission Regular Meeting Minutes

Meeting Date: June 22, 2026

Category: Approval of Minutes

Prepared by: Becky Skillin, Deputy Town Clerk

Description:

This is a request to approve the May 4, 2026 Work Session and the May 18, 2026 Regular Meeting Minutes of the Planning Commission.

Background/Timing Impact:

Planning Commission minutes are typically presented for approval in chronological order. Action on the minutes is an important function of the Planning Commission.

Fiscal Impact:

N/A

Legal Impact:

Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for all public bodies.

Staff Recommendation/Next Steps:

Recommend approval as presented.

Attachments:

- 1. May 4, 2026 Draft Minutes
- 2. May 18, 2026 - Draft Minutes

HERNDON PLANNING COMMISSION

Work Session Minutes

Monday, May 4, 2026

1. Call to Order

Chair Romeo called the Planning Commission Work Session to order on Monday, May 4, 2026, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon. In attendance were: Commissioners Andrew Beatty; Yung C. Kim; Stephen Mundt; Brenda Wichman; Vice Chair Meron Yohannes; and Chair Michael G. Romeo.

Commissioner Richardson was absent.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; Dave Stromberg, Zoning Administrator; and Margie Tacci, Deputy Town Clerk.

Chair Romeo stated that six Planning Commissioners were present, which constituted a quorum.

2. Public Hearings

- a. Zoning Ordinance Text Amendment ZOTA #26-03 to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by amending Section 78-50.8 (PD-TOC, Planned Development - Transit Oriented Core), Article VII (Use Regulations), Section 78-71.8 (Indoor Entertainment Use Category), and Article XVIII (Definitions), Section 78-180 (Definitions) to define casino related terms and establish land use provisions for casino establishments**

Chair Romeo opened the work session and called on Dave Stromberg, Zoning Administrator, for the staff presentation. Mr. Stromberg stated that the item was rescheduled from April 27, 2026, and delivered the staff report dated May 4, 2026. He explained that the zoning ordinance text amendment (ZOTA) added a definition for "Casino Gaming Establishment" consistent with the definition in the Code of Virginia. He noted that the draft language included amendments to PD-TOC, Planned Development – Transit Oriented Core, to allow a casino gaming establishment that is part of a mixed-use development.

Mr. Stromberg stated that the Council requested that the ordinance proceed to the

Planning Commission for review; however, because Governor Spanberger vetoed Virginia Senate Bill 756, staff would recommend denial at the public hearing on May 18, 2026.

There was brief discussion between staff and the Commission on this item, including:

1. The purpose of the proposed ordinance, and the timing of how it interacted with the Commonwealth.
2. Restrictions, height allowances, and impact on the community and quality of life.
3. Actions taken in other jurisdictions.
4. Permits, additional zoning text amendments, and types of follow-on businesses that often develop after casino and gaming establishments are constructed.
5. Changes to vehicular and foot traffic patterns in the town that would result from casino and gaming establishments.
6. The need to proactively impose new limits to prevent this type of development in Herndon.

b. Zoning Ordinance Text Amendment – ZOTA #26-04 to amend Chapter 78 (ZONING), Article IV (Business Districts), Section 78-40.3 (CO – Commercial office district) and Article VII (Use Regulations), Section 78-70.2 (Table of permitted and allowed uses), to remove the special exception requirement for personal service uses in the CO zoning district

Chair Romeo opened the work session and called on Dave Stromberg, Zoning Administrator, for the staff presentation. Mr. Stromberg delivered the staff report and presentation dated May 4, 2026, and stated that this zoning ordinance text amendment proposes to remove the special exception requirement for general personal services uses in the Commercial Office (CO) zoning district. He reviewed how zoning ordinances are organized and listed specific use types. He explained that implementing this text amendment required a change to both the full use table and the CO district use table and the difference in processing time between by-right uses (a few days) and special exception (several months). He noted that special exception review also utilizes more staff members and more staff time than administrative review and the presentation included costs of the permits, site plans, building and construction permits, and additional fees. If adopted, this zoning ordinance text amendment is expected to reduce review times, allowing approved businesses to obtain business licenses more quickly and begin remitting Business, Professional, and Occupational License (BPOL) fees sooner. If adopted by the Town Council, the amendment would take effect on the date of adoption.

There was discussion between staff and the Commission on this item, including:

1. Identifying permitted uses within planned development and proffered uses.
2. Funding sources within the town, costs of staff time, and comparisons between jurisdictions.
3. The Town's website for zoning and use-type information.
4. The relationship between text amendments and the Comprehensive Plan.
5. The involvement and costs of consultants.

c. 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 (continued from April 27, 2026)

Chair Romeo called on Dave Stromberg, Zoning Administrator, who stated this is a special exception application, which was continued from the April 27, 2026, meeting, requesting approval for a home-based daycare under Section 78-80.5 of the Herndon Zoning Ordinance. He outlined home-based business definitions in accordance with Article VII Use Regulations, stating that home-based businesses, including daycare, are permitted by-right if they comply with established standards, including no more than seven clients (children) per day, no more than one off-site employee, a maximum of 1,000 square feet or 33 percent of the dwelling devoted to the use, operating hours between 6:00 a.m. and 9:00 p.m., and outdoor play area requirements of at least 75 square feet per child with appropriate fencing or equivalent protection. Because the applicant proposes to exceed these standards, a special exception is required. The request includes increasing enrollment to 12 children per day, expanding the home-based business area to 1,103 square feet, and allowing up to two off-site employees per day, but not necessarily at the same time.

Mr. Stromberg stated that during the April 13, 2026, work session, the Planning Commission raised safety concerns regarding the property's use as a daycare, citing missing sections of perimeter fencing that were covered with a tarp. Mr. Stromberg stated that the applicant submitted a complaint to traffic engineering staff alleging unsafe conditions due to traffic accidents at the intersection, which was shared with the Planning Commission. At the April 27, 2026, meeting, Commissioners proposed a condition to relocate the outdoor play area away from the rear of the property, adjacent to Sterling Road and Herndon Parkway, and closer to the home, potentially with an additional protective barrier. The May 1, 2026, inspection verified that the outer fence was fixed and that the applicant, Ms. Sarita Abad Moretti, was residing at the residence. Ms. Moretti was reissued an administrative permit on May 1, 2026.

Commissioner Beatty left the meeting at 7:47 p.m.

There was discussion between staff and the Commission on this item, including:

1. History of the case, including previous staff and committee reviews.
2. Timing constraints around issuing the special exception.
3. Home-based daycare regulation differences between the Town of Herndon and Loudoun County.
4. Location of a permanent secondary fence for a safe play area for the children away from the outer fence and closer to the home.
5. Past comparable cases.
6. Traffic patterns, including traffic accidents at this intersection.
7. Information Ms. Moretti has provided to the Town regarding safety concerns.

The Commission provided the Chair background information due to his absence at the previous meeting, stating that late in the application process, staff became aware that the applicant was not living in the home on Jeff Ryan Drive, and that the home-based daycare was currently located in Sterling, Loudoun County. The Commissioners noted the April 1, 2026, expiration of the Loudoun County permit. Commissioner Mundt also discussed the fence and raised safety concerns due to traffic accidents at the intersection of Sterling Road and Herndon Parkway.

Responding to Chair Romeo's questions about the permit, Mr. Stromberg and Ms. Gilleran stated that the Sterling residence allowed the applicant to have 12 children; however, for Ms. Moretti to move her business, she would have to close the Sterling location to move the business to Herndon and reopen. In order to qualify for a home-based business permit, the owner must live on the property full-time, and previous inspections indicated Jeff Ryan Drive was not Ms. Moretti's primary residence.

3. Comments

a. Comments from the Staff Members

Chair Romeo recognized staff members for additional comments.

Lisa Gilleran, Director of Community Development, made comments regarding:

1. A Comprehensive Plan consultant return visit during the last week of May 2026 and would be at the Polar Heat event to get community feedback.
2. Action Plan meetings and input from community stakeholders - Downtown Area Plan and Metro Area Plan.
3. Upcoming reports from the downtown and economic development surveys.
4. Tree giveaway was successful on April 25, 2026.

There was discussion between staff and the Commissioners, including:

1. Feedback mechanisms.
2. Engagement measures with the community.
3. Frequency of contact with the consultants.

b. Comments from the Commissioners

Commissioners offered no additional comments.

4. Adjournment

There being no further business, and without objection, Chair Romeo adjourned the May 4, 2026, Planning Commission Work Session at 8:16 p.m.

Margie Tacci
Deputy Town Clerk

Minutes approved by the Planning Commission: _____

[Note: Approved resolutions and ordinances are on file in the Town Clerk's office.]

HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, May 18, 2026

1. Call to Order

Chair Romeo called the Planning Commission Regular Meeting to order on Monday, May 18, 2026, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon. In attendance were: Commissioners Andrew Beatty; Yung C. Kim; Stephen Mundt; Samuel F. Richardson II; Brenda Wichman; Vice Chair Meron Yohannes; and Chair Michael G. Romeo.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; Amanda Kertz, Town Clerk; and Becky Skillin, Deputy Town Clerk.

Chair Romeo stated that seven Planning Commissioners were present, which constituted a quorum.

2. Approval of Minutes

- a. i. **April 13, 2026, Planning Commission Work Session Draft Minutes**
ii. **April 27, 2026, Planning Commission Regular Meeting Draft Minutes**

Commissioner Mundt moved the following sets of minutes for approval, as presented:

- i. April 13, 2026, Planning Commission Work Session Draft Minutes
ii. April 27, 2026, Planning Commission Regular Meeting Draft Minutes

Commissioner Richardson seconded the motion. The question was called on the motion, which was carried by unanimous roll call vote. The vote was: Commissioners Beatty, Kim, Mundt, Richardson, Wichman, Vice Chair Yohannes, and Chair Romeo.

Chair Romeo welcomed four seniors from Herndon High School who were in attendance as part of an externship program with the Town to learn about local government.

3. Comments

- a. **Comments from the Staff Members**

Lisa Gilleran, Director of Community Development, stated that staff is scheduling a special work session for the Planning Commission on Thursday, May 28, 2026, to review updates on the Comprehensive Plan update process. She noted that the Herndon 2050 interactive map and related materials at Herndon2050.org closed that evening.

In response to Chair Romeo's question about attendance for the special work session, Commissioners Kim and Beatty stated that they would not be able to attend.

Responding to Chair Romeo, Ms. Gilleran stated that the work session is open to the public but will not be recorded. Commissioners were invited to submit comments or questions to staff ahead of the meeting.

Responding to Commissioner Beatty, Ms. Gilleran stated that some of the materials that will be presented at the special work session will be available in advance of the meeting. She stated that the meeting will be held in the Hoover Conference Room in the Herndon Council Chambers.

b. Comments from the Commissioners

Commissioner Beatty: expressed appreciation to Town staff for their work on the recent Polar Heat event. He was glad to see community engagement with staff on the Comprehensive Plan.

c. Comments from the Public

There were no comments from the public.

4. Public Hearings

- a. Zoning Ordinance Text Amendment ZOTA #26-03 to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by amending Section 78-50.8 (PD-TOC – Planned development – transit-oriented core district), Article VII (Use Regulations), Section 78-71.8 (Indoor entertainment use category), and amending Article XVIII (Definitions), Section 78-180 (Definitions) to define casino related terms and establish land use provisions for casino establishments**

Certificates of Publication from the Editor of the *Fairfax County Times* newspaper were filed, showing that notice of the following public hearing item was duly advertised in the May 1, 2026, and May 8, 2026, issues.

Chair Romeo opened the public hearing and recognized Lisa Gilleran, Director of Community Development, for the staff report. Ms. Gilleran stated that the

proposed zoning ordinance text amendment would have defined casino-related terms and established land use provisions for casino establishments. Ms. Gilleran noted that this zoning ordinance text amendment was initiated March 24, 2026, to be ahead of the proposed General Assembly passage of Senate Bill SB 756. However, since the Governor vetoed the related legislation on April 9, 2026, staff recommends that the Planning Commission recommend denial of the zoning ordinance text amendment, since it is no longer needed at this time.

Chair Romeo called for public comment. Seeing no speakers, Chair Romeo closed the public hearing and moved the item to the Commission for discussion and action.

Commissioners discussed the item, including:

1. The value of providing comparable examples and scale illustrations in future presentations.
2. The possibility that future state legislation related to casino gaming could differ from the proposal considered at the 2026 General Assembly.
3. Whether future zoning regulations should be developed proactively to protect the Town's interests should similar legislation be proposed again.
4. Concerns that some of the thresholds and standards contained in the proposed amendment may have been achievable and could have allowed unintended outcomes.

Chair Romeo moved to recommend denial of Zoning Ordinance Text Amendment (ZOTA) #26-03 to amend Chapter 78 (Zoning), Article V, Section 78-50.8; Article VII (Use Regulations); and Article XVIII (Definitions), Section 78-180, to define casino-related terms and establish land use provisions for casino establishments. Motion seconded by Commissioner Beatty.

The question was called on the motion, which was carried by unanimous roll call vote. The vote was: Commissioners Beatty, Kim, Mundt, Richardson, Wichman, Vice Chair Yohannes, and Chair Romeo.

- b. **Zoning Ordinance Text Amendment – ZOTA #26-04 to amend Chapter 78 (ZONING), Article IV (Business Districts), Section 78-40.3 (CO – Commercial office district) and Article VII (Use Regulations), Section 78-70.2 (Table of permitted and allowed uses), to remove the special exception requirement for personal service uses in the CO zoning district**

Certificates of Publication from the Editor of the *Fairfax County Times* newspaper were filed, showing that notice of the following public hearing item was duly

advertised in the May 1, 2026, and May 8, 2026, issues.

Chair Romeo opened the public hearing and recognized Lisa Gilleran, Director of Community Development, for the staff report. Ms. Gilleran stated that the proposed amendment would remove the special exception requirement for general personal service uses in the CO, Commercial Office, district. Recently, staff has observed an increase in special exception applications for personal service uses in the CO district, while office uses in this district have declined. The proposed changes, which were also suggested by the Small Business Process Improvement Committee, will ease the approval process for small businesses. Staff recommends approval of the proposed ordinance, as presented.

There was discussion between the Commission and staff regarding the impact of the proposed changes on: the cost of the special exception process, staff review time, and the anticipated reduction in fees and processing requirements for businesses.

Chair Romeo called for comments from the public. Seeing no speakers, Chair Romeo closed the public hearing and moved to the Commission for discussion and action.

Vice Chair Yohannes moved to recommend approval of Zoning Ordinance Text Amendment – ZOTA #26-04 to amend Chapter 78 (ZONING), Article IV (Business Districts), Section 78-40.3 (CO – Commercial office district) and Article VII (Use Regulations), Section 78-70.2 (Table of permitted and allowed uses), to remove the special exception requirement for personal service uses in the CO zoning district to the Town Council, as presented. Motion seconded by Commissioner Mundt.

There were comments from the Planning Commission.

The question was called on the motion and was carried by unanimous roll call vote. The vote was: Commissioners Beatty, Kim, Mundt, Richardson, Wichman, Vice Chair Yohannes, and Chair Romeo voting “Aye.”

- c. **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 (continued from April 27, 2026)**

[Note: this item was continued from the April 27, 2026, meeting.]

Certificates of Publication from the Editor of the *Fairfax County Times* newspaper were filed, showing that notice of the following public hearing item was duly advertised in the May 1, 2026, and May 8, 2026, issues.

Chair Romeo resumed the public hearing and called on Lisa Gilleran, Director of Community Development, for the staff report. Ms. Gilleran stated the application was continued from the April 27, 2026, meeting. She reviewed the application, which included requests to increase the number of children from seven to 12, an increase in the area devoted to home-based business, and up to two off-site employees. Ms. Gilleran discussed the concerns the Planning Commission raised at previous meetings about site safety related to the perimeter fence and accidents that have occurred at the intersection of Herndon Parkway and Sterling Road. Staff has discussed these concerns with the applicant. Ms. Gilleran stated that staff prepared three resolutions for the Commission's consideration, which included: (a) approval; (b) approval with a change to condition d related to the fence; and (c) resolution for denial. Staff recommends approval in accordance with Resolution B, which requires a secondary fenced-in play area located away from the property's perimeter fencing and road frontages.

There was discussion between staff and the Commission, including:

1. The size and location of a potential secondary fenced play area that is included in proposed Resolution B.
2. Inspection and zoning enforcement procedures for home-based daycare uses.
3. Traffic safety concerns associated with the nearby intersection of Herndon Parkway and Sterling Road.
4. Existing fencing, guardrails, drainage areas, and site topography.
5. Potential modifications to the proposed conditions.

Chair Romeo invited the applicant or applicant's agent to provide comments to the Planning Commission.

Sarita del Pilar Abad Moretti, applicant, provided comments on the application, which focused on the following:

1. Nearby traffic and safety concerns on Herndon Parkway and Sterling Road, especially during the nighttime hours.
2. Prior communication with Town staff, and the process of obtaining approvals for the home-based daycare.
3. Letter that she submitted to the Town concerning the safety of the Herndon Parkway and Sterling Road intersection prior to this application.
4. Her intent to relocate her daycare operation from Sterling to the subject property in Herndon.
5. Fencing options that would meet safety requirements while accommodating site conditions and reducing construction costs.

Deyvis Placencia Elguera, co-owner of the property, discussed the site's

topography, drainage conditions, and construction challenges associated with installing fencing and playground improvements. He proposed an alternative fenced play area configuration that would utilize flatter portions of the property while remaining separated from the intersection.

There was discussion among the Commission, applicant, and staff, centering on the following topics:

1. Zoning requirements and safety constraints on the property.
2. The letter Ms. Moretti submitted on January 22, 2025, which listed multiple safety concerns associated with the property.
3. The location of flatter areas of the property that are suitable for outdoor play.
4. Existing guardrails on Sterling Road and their relationship to the safety of the proposed play area.
5. Previous traffic incidents near the intersection of Herndon Parkway and Sterling Road.
6. The applicant's existing daycare operation in Sterling, Loudoun County, and plans to move her operations to the Herndon property.
7. Possible revisions to the proposed approval conditions.

Following discussion between the applicant, staff, and the Commission, the applicant identified areas of flat and sloping terrain on a site diagram. Staff and the applicant worked collaboratively to evaluate potential locations for a fenced play area and developed a conceptual fence configuration for Commission consideration. The diagram was entered into the record.

Chair Romeo asked for clarification on the boundaries, noting it cannot exceed the 12-foot buffer easement and wanted to ensure that they knew it needs to fall within the orange area. The applicant confirmed they understood the area could be smaller than what was drawn.

Chair Romeo asked the public for comments. Seeing none, he closed the public hearing and moved to Commission level for discussion and action.

Commissioner Mundt moved to approve Application for a Special Exception, SE #26-02, 1001 Jeff Ryan Drive, to approve a special exception to permit a home-based child daycare use within the R-10, Residential single-family district, in accordance with Resolution B, amended as follows:

- Under THEREFORE BE IT RESOLVED, item 1, condition (d) On-Site Play Area. The applicant shall install a second, permanent fence ~~at least 50 feet away from the property boundaries abutting Herndon Parkway and Sterling Road. When playing outside all children shall be within the inner fenced playground area~~ **in accordance with the diagram drawn by the**

applicants, showing the fenced area in orange, reviewed and approved by the zoning administrator prior to fence installation. When playing outside all children shall be within the inner fenced playground area.

Motion seconded by Commissioner Kim.

There were comments from Commissioners about the site's existing guardrails and wooded areas, traffic considerations during pick-up and drop off, the applicant's participation throughout the review process, and the broader oversight of home-based childcare operations.

The question was called on the motion, which carried by a 6-1 roll call vote. Commissioners Beatty, Kim, Mundt, Richardson, Wichman, and Vice Chair Yohannes voting "Aye," with Chair Romeo voting "No."

5. Adjournment

There being no further business, and without objection, Chair Romeo adjourned the May 18, 2026, Planning Commission Regular Meeting at 8:29 p.m.

Amanda E.M. Kertz
Town Clerk

Minutes approved by the Planning Commission: _____

[Note: Approved resolutions and ordinances are on file in the Department of Community Development.]

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

STAFF REPORT

Agenda Item: Special Exception – SE #26-03, 310 Missouri Ave- Application to Permit a Home-Based Child Daycare Use within the R-10, Residential Single-Family District

Meeting Date: June 8, 2026

Staff Contact: Aaron Zoellick, Zoning Services Specialist
aaron.zoellick@herndon-va.gov (703) 787-7380
David Stromberg, AICP, Zoning Administrator
david.stromberg@herndon-va.gov (703) 787-7380

Summary Information:

Proposed Modification	This is an application for a special exception to permit a home-based child daycare with a maximum of 12 children enrolled, operating from 6:00 a.m. to 10:00 p.m.
Address	310 Missouri Ave
Fairfax County Tax Map Number	0162 18110009
Owners	Barbara Lopez Otero, Justin A. Portillo-Lopez
Applicant	Barbara Lopez Otero
Business/Organization	Kemberly's Home Daycare LLC
Property Use	Residential
Zoning District	R-10, Residential Single-Family
Lot Size	11,572 square feet
Building Size	2,432 square feet of above-grade living area
Adjacent Zoning	North, South, West: R-10 Residential Single-Family East: PD-R, Planned Development Residential
Date of Construction:	1969
Comprehensive Plan Land Use Designation	Neighborhood Conservation

Background & Site Description:

310 Missouri Avenue is located between the east end of Mississippi Drive and Stuart Court.

The applicant applied and received approvals for Zoning Inspection Permit (ZIP) #26-008 and Zoning Inspection Permit (ZIP) #26-013 to operate a child daycare use as a home-based business with a maximum enrollment of seven clients at the subject

Staff Report – SE #26-03, 310 Missouri Ave
Planning Commission Work Session – June 8, 2026

property. ZIP #26-008 was issued on September 22, 2025. ZIP #26-013 was issued on March 13, 2026. No complaints have been submitted to the town regarding the daycare.

The regulations of the R-10 district are “meant to encourage uses that would substantially complement the development of single-family detached dwellings and that would contribute to the quiet residential nature of the district.” Sec. 78-30.2(a).

The property’s designation as Neighborhood Conservation in the Town of Herndon 2030 Comprehensive Plan reflects the Town’s intent to preserve and enhance the established character and quality of existing residential neighborhoods while allowing limited, compatible residential uses. The property’s proximity to Herndon Parkway provides convenient access for families utilizing the childcare service while maintaining the residential character of the neighborhood.



Case Details & Proposed Operations:

The applicant seeks a Special Exception to increase the maximum number of children permitted in their home-based childcare business from seven (7) to twelve (12). The proposed use will operate between 6:00 a.m. and 10:00 p.m., Monday through Friday, with staggered pick-up and drop-off schedules to accommodate families with varying needs. Most children attend during a day session (approximately 7:00 a.m. to 5:00 p.m.). The applicant is requesting extended hours for the option of providing after-school and evening care.

The home-based childcare operation is proposed to take place primarily on the first level of the dwelling, within a dedicated area of approximately 265 square feet. Access to the childcare area will be through the main entrance. The first level includes one bathroom and a kitchen. The fenced rear yard of the property is approximately 5,500 square feet. At this time, Ms. Lopez-Otero is the sole employee of the childcare operation with her son providing assistance.

The proposed use will continue to operate under its existing conditions with respect to the space occupied by the business, facilities provided, and overall operations. The

Staff Report – SE #26-03, 310 Missouri Ave
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exterior appearance of the building will remain unchanged. No additional impervious area or land disturbance is proposed.

Staff Analysis:

Under the regulations of the Virginia Office of Child Care Health and Safety, a licensed Family Day Home may care for up to twelve (12) children, exclusive of the provider's own children and any children residing in the home, within a single-family dwelling. The Town of Herndon Zoning Ordinance allows a maximum of seven (7) children, exclusive of the provider's own children and resident children, with approval of a Zoning Inspection Permit. Care for up to twelve (12) children is permitted with approval of a Special Exception.

Zoning Ordinance Compliance

The Zoning Ordinance has established additional standards for all home-based businesses. Sec. 78-80.5. The Town's Zoning Ordinance standards are intended to balance the provision of childcare services with considerations related to traffic management, neighborhood compatibility, and adherence with applicable zoning and planning regulations. Staff evaluated the criteria for review of Special Exceptions found in Zoning Ordinance Sec. 78-155.3(e). Criteria (a)–(e), and (g)–(i) were found to be applicable to the analysis.

	Criteria Section 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 with 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	Meets	The proposed conditions will remain compatible with the intent of the uses of the R-10 district.

Staff Report – SE #26-03, 310 Missouri Ave
Planning Commission Work Session – June 8, 2026

	ensure efficient development within the town.		
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.

Criteria (f) and (j) – (m) were found to be not applicable to the analysis because there are no physical alterations to the structure proposed and the building is not located within the floodplain overlay.

The Zoning Ordinance has also established standards for childcare or daycare uses as a home-based business. Sec. 78-80.5(b). The application complies with the requirements concerning the number of children and non-resident employees. Sec. 78-80.5(b)(1)&(2). The proposed application satisfies the minimum requirement of 75 square feet of outdoor play area per child enrolled in the childcare business. Sec. 78-80.5(b)(3). The applicant was not able to provide a plat demonstrating outdoor play area, as required by the Zoning Ordinance. Sec. 78-80.5(b)(3)(c). In lieu of a plat, a site visit was performed on May 20, 2026. The property is less than 1000 feet from Haley M. Smith Park which further supports the requirement for available play area. Sec. 78-80.5(b)(3)(d).

Comprehensive Plan Adherence

The proposal is consistent with the Herndon 2030 Comprehensive Plan Neighborhood Conservation Land Use Policies and encourages uses that provide a variety of goods and services as well as promotes economic development that helps increase employment and add to the community tax base.

Parking

The zoning ordinance does not require additional parking for a home-based daycare or any other home-based business.

Analysis of Conditions

Staff is recommending six conditions for this special exception, listed in the following conditions analysis table, consistent with previously approved special exceptions. Staff believes these conditions provide reasonable ways in which the existing childcare use can be expanded while properly mitigating potential impacts, as well as achieving the purpose and intent of the applicable zoning district.

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

Any violation of the aforementioned conditions or other sections of the Herndon Town Code shall be grounds for revoking the special exception pursuant to the manner described in Section 78-155.3(h).

Fiscal Impact:

None.

Planning Commission Alternatives:

The following alternatives are available to the Planning Commission for its decision on SE #26-03:

1. Recommendation for approval.
2. Recommendation for denial. The daycare continues its operations with seven children as a by-right use.

3. Continuance to the July 27, 2026, Planning Commission regular meeting.

Staff Recommendation:

Withholding a recommendation pending additional information from the applicant and input from the Planning Commission.

**TOWN OF HERNDON, VIRGINIA
PLANNING COMMISSION**

RESOLUTION

JUNE 22, 2026

Resolution- **to recommend approval of Special Exception (SE) #26-03, 310 Missouri Avenue, to allow a home-based child daycare use. The proposed use would increase the maximum number of children enrolled from seven to 12 and extend the hours of operation until 10:00 p.m.**

BE IT RESOLVED by the Planning Commission of the Town of Herndon, Virginia that:

1. The Planning Commission recommends approval of Special Exception (SE) #26-03, which, pursuant to §78-155.3(f)(3), shall not run with the land.
2. The conditions set forth below are necessary to achieve compliance with the standards found in §78-155.3(e)(1):
 - a. 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 §78-80.5 of the zoning ordinance.
 - b. The applicant shall use 310 Missouri Avenue as their primary residence as long as the home-based child daycare is in operation.
 - c. The hours of operation are permitted to extend from 6:00 a.m. to 10:00 p.m.
 - d. The total number of children present on site for the home-based child daycare use shall not exceed 12 enrolled. The state-required ratio of employees to children shall be maintained.
 - e. All children enrolled in the daycare shall be within the fenced rear yard when playing outside.
 - f. Child drop-off and pick-up shall be limited to the driveway or curb directly in front of the residence.
 - g. No signage shall be permitted.

PRE-APPLICATION CONFERENCE REQUEST FORM

Department of Community Development

Submission Date: 03/30/2026
Project Name: Barbara Lopez Otero
Project Address: 310 Missouri Ave Herndon VA 20170
Project Contact: (571) 707 1324
Mailing Address: 310 Missouri Ave Herndon VA 20170
Phone: (571) 707-1324 Email: Barb@lopez25673@gmail.com

Current Zoning: _____

Current or Previous Land Use: _____

Proposed Land Use: On the first level of the house's entrance.

Applications to be submitted (check all that may apply):

- ☐ Special Exception ☐ Zoning Map Amendment ☐ Proffer Condition Amendment
☐ HTOC Development Plan ☒ Other

Note: If planning to submit a **by-right site or subdivision plan or plat**, there is a separate pre-application conference form that must be submitted. Those conferences are administered by the Department of Public Works and the conference form is available online.

Brief description of project to be discussed at pre-application conference:

I would like to obtain a permit for a home-
based daycare.
I have a permit for seven children, but I would like
to obtain a permit for twelve children.
Specific issues or questions related to the project you would like discussed at the conference:

About Home daycare.

**In addition to this form, pre-application requests should include conceptual plans, drawings, and any other supporting documents that will help the town best understand the project and provide the best possible feedback.

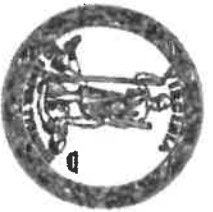
****Completed forms with all supporting materials must be submitted electronically and list all expected pre-application attendees' name, titles, relation and email to the project must be provided at the time of pre-application request submission. (See form on next page)**

****For questions, further information, and to submit the request, contact Lisa Webster at lisa.webster@herndon-va.gov or 703.787.7380.**

Commonwealth of Virginia

DEPARTMENT

OF EDUCATION



CONDITIONAL LICENSE FAMILY DAY HOME

Issued to:

Barbara Lopez Otero, d.b.a. Kemberly's Home Daycare LLC

Address:

310 Missouri Avenue, Herndon, Virginia 20170

This **CONDITIONAL** license is issued in accordance with provisions of Chapter 14.1, Title 22.1, Code of Virginia and other relevant laws, the regulations of the State Board of Education, and the specific limitations prescribed by the Superintendent of Public Instruction, as follows:

<u>CAPACITY</u>	
<u>AGE</u>	7
	2 months through 12 years

☒ This conditional license is issued to allow for the licensee to demonstrate compliance with sections of the standards, which could not be determined, because the facility is not yet fully operational.

☒ This conditional license is issued because the licensee is temporarily unable to comply with the following section(s) of standards: 8VAC20-800-(11)-760-A

This license is not transferable and will be in effect 03/23/2026 through 09/22/2026 unless revoked for violations of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE:

Virginia Department of Education
Office of Child Care Health and Safety (Region)
PO Box 2120
Richmond, Virginia 23218

Email Address: fairfax.cclicensing@doe.virginia.gov

FDH-1111099
LICENSE NUMBER

JENNA CONWAY

SUPERINTENDENT OF PUBLIC INSTRUCTION

By

Nancy Radcliffe

Digitally signed by Nancy Radcliffe
Date: 2026.03.24 20:37:16 -0400

NANCY RADCLIFFE

Title

LICENSING ADMINISTRATOR

Date

March 24, 2026

Family Escape plan

Day Care

11.4 x 23.3

= 265 SQFT

11.4 x 18.2
= 207 SQFT

Living Room

stairs

half island

Dining Room

14 x 11.6
= 162 SQFT

11.4 x 14
= 159.6 SQFT

Kitchen

Bathroom

Closest

Closest

Exit

Meeting

Front Yard

Backyard

Exit

Exit











APPLICATION FORM

www.herndon-va.gov

ZIP 226-013

Zoning Inspection Permit

Home-Based Businesses

Instructions: Complete this form and submit to community.development@herndon-va.gov or in person at 777 Lynn Street, 2nd Floor, Herndon, VA 20170. Typed signatures will be accepted. Please also submit the application fee in accordance with the fee schedule on our forms and fees page or TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS in the Town Code.

The undersigned certifies that all information in this application is true and correct and that the requirements of this application have been read and are understood.

Home Based Business Information

Name of Home-Based Business: Kemberly' Home daycare LLCName of Business Owner: Barbara Lopez OteroBusiness Street Address: 310 Missouri Ave Herndon VA 20170Business Phone Number: 571 707 1324Business Email: Barbylopez5673@gmail.com

Business Website:

Total floor area used by this business:

SF

Business Description

Describe: The type of products, merchandise, or services the business will provide.

Attach: Pictures or catalog representations of the product or merchandise for sale.

Are client visits scheduled by appointment? ☒ No ☐ YesIs this a home-based daycare? ☐ No ☒ Yes* *If yes, number of children 4Do you have any company vehicles? ☒ No ☐ Yes* *If yes, list quantity and type below:

Will you receive deliveries after normal business hours?

☒ No☐ Yes **If yes, please explain below

*Restrictions occur between 10PM-7AM

Applicant Signature

I hereby certify that I have authority of the owner or agent to make this application, that the information is complete, and that if a permit is issued the construction and/or use will conform to the Zoning Ordinance, the Building Code, applicable laws and regulations including private building restrictions, if any, which relate to the property. I further certify that I have received and read the prohibited sign regulations.

Applicant Signature (REQUIRED) Barbara Lopez Otero

*A Typed Signature is acceptable

Applicant Name (PRINTED) Barbara Lopez OteroPhone 571-707-1324Email Barbylopez5673@gmail.com

Please see reverse side for Property Owner's Consent Certifications

Property Owner or Owner Agent Signature

I hereby authorize the home-based business as presented by the applicant to be conducted in conformance to the Section 78-80.5 of the Zoning Ordinance.

☐ In lieu of having property owner sign, I as the applicant, have provided the front page and signature page of a legally executed lease.

Property Owner Signature (REQUIRED) Barbara Lopez Otero

*A Typed Signature is acceptable

Property Owner Name (PRINTED) Barbara Lopez Otero

Phone (571) 707 1324 Email Borbylopez5673@gmail.com

Note:

An approved inspection is required before a business license will be issued for the home-based business. Submission of photos or a videoconference may be allowed in lieu of an in-person visit, at the discretion of the Community Inspector.

Please contact the office for details at 703-787-7380

List of Prohibited Businesses

The on-site storage of explosives, hazardous and/or toxic materials; on-site services to clients other than by appointment; on-site sales of any goods other than by appointment; on-site restaurant or carry-out service; on-site repair or painting of motor or other vehicles; animal hospitals, kennels or any other business involving the on-site care or feeding of animals; boarding house or similar; mortuary or funeral home; a delivery service by which goods or other property to be delivered are stored or brought on-site; welding, machine shop, pipe fitting operation, or similar; rental of on-site equipment, goods or property; nursing home; small -scale alcohol production facility; similar uses to those above. The above businesses are a summary of Section 78-80.5(a)(2) and not a comprehensive list.

Zoning Administrator Decision**APPROVED****DENIED****Comments:****Signature of Zoning Administrator:** Rahel**Date:** 03/13/2026**Intake Notes—Office Use Only**Application Received By: XWDate: 3/13/26Fee Paid: \$50.00Case Number: ZIP #26-013Zoning District: R-10Tax Map Number: 016218110009

Your EIN

<https://sa.www4.irs.gov/appl/ein/einAssignment>

11

3/5/26, 8:10 AM

IRS Apply for an Employer Identification Number (EIN) online

Your EIN Details

EIN assigned 41-4663936

Legal name KEMBERLYS HOME
DAYCARE LLC

Name control KEMB

Confirmation letter This confirmation letter is
your official IRS notice and
contains important
information regarding your
EIN:

Download EIN
confirmation
letter (PDF)

Summary of your information

Legal Structure

Organization Type SINGLE MEMBER LIMITED
LIABILITY COMPANY (LLC)

Limited Liability Company (LLC) Information

Legal name KEMBERLYS HOME
DAYCARE LLC

**Trade name/doing
business as** KEMBERLYS HOME
DAYCARE

County FAIRFAX

CONTACT WITH LOCAL ZONING ADMINISTRATOR

THE FOLLOWING INDIVIDUAL PLANS TO SUBMIT AN APPLICATION FOR A LICENSE TO OPERATE A FAMILY DAY HOME PURSUANT TO §§ 22.1-289.02 and 22.1-289.011 OF THE CODE OF VIRGINIA

To Be Completed by Operator of Family Day Home

NAME OF APPLICANT Barbara Lopez Otero

PHYSICAL ADDRESS 310 Missouri Ave Herndon VA 20170
STREET OR ROUTE NO. CITY STATE ZIP
(571)

APPLICANT'S PHONE NO.: 707-1324 EMAIL ADDRESS: Barbylopez5673@gmail.com

THE HOME IS LOCATED IN THE COUNTY OR CITY OF Fairfax

APPLICANT IS REQUESTING A LICENSE TO CARE FOR THE FOLLOWING NUMBER OF CHILDREN (NOT INCLUDING CHILDREN WHO RESIDE IN THE HOME): 7

To Be Completed by Local Zoning Administrator

THE ZONING ADMINISTRATOR'S SIGNATURE ON THIS FORM VERIFIES THAT THE APPLICANT HAS INFORMED THE ZONING ADMINISTRATOR OF HIS/HER PLANS TO APPLY FOR A LICENSE TO OPERATE A FAMILY DAY HOME AT THE ADDRESS ABOVE.

Tax Map # <u>0162 18110009</u>	Parcel #	Zoning District <u>R-10</u>
-----------------------------------	----------	--------------------------------

David Stromberg
Printed Name of Zoning Administrator

[Signature]
Signature of Zoning Administrator

2/12/2026
Date

Telephone Number: 703-787-7380

Email Address: community.development@herndon-va.gov

Comments: Maximum 7 clients

Town of Herndon
Department of Community Development
777 Lynn Street
Herndon, Virginia 20170-4602

2522

RECEIPT

DATE

RECEIVED FROM

DOLLARS

FOR

AMOUNT OF ACCOUNT

THIS PAYMENT

BALANCE DUE

☐ CASH

☐ CHECK

☐ CREDIT CARD

☐ MONEY ORDER

BY

THANK YOU

Printable page

MAP #: 0162 18110009
LOPEZ-OTERO BARBARA

310 MISSOURI AVE

Owner

Name	LOPEZ-OTERO BARBARA,
Mailing Address	310 MISSOURI AVE HERNDON VA 20170 5425
Book	28563
Page	1783

Co-Owners

PORTILLO-LOPEZ JUSTIN A

Parcel

Property Location	310 MISSOURI AVE HERNDON VA 20170 5425
Map #	0162 18110009
Tax District	H0000
District Name	DRANESVILLE TOWN OF HERNDON
Land Use Code	Single-family, Detached
Land Area (acreage)	
Land Area (SQFT)	11,572
Zoning Description	R-10(Res Single fam-10 Dist)
Utilities	WATER CONNECTED SEWER CONNECTED GAS CONNECTED
County Inventory of Historic Sites	NO
County Historic Overlay District	NO
	For further information about the Fairfax County Historic Overlay Districts, CLICK HERE
	For properties within the towns of Herndon, Vienna or Clifton please contact the town to determine if the property is within a town historic district.
Street/Road	PAVED
Site Description	BUILDABLE-AVERAGE LOT

Stub Number

411380402

Legal Description

Printable page

MAP #: 0162 18110009
LOPEZ-OTERO BARBARA

310 MISSOURI AVE

Stub Number

411380402

Summary of 2025 Taxes

Year	General Fund Net Taxes	Special Tax District	Service Charges	Interest	Penalty	Other Charges	Amount Paid	Balance Due
2025 1ST HALF DUE	\$3,438.89	\$929.81	\$0.00	\$0.00	\$0.00	\$0.00	-\$4,368.70	\$0.00
2025 2ND HALF DUE	\$3,438.89	\$929.79	\$0.00	\$0.00	\$0.00	\$0.00	-\$4,368.68	\$0.00
Total:	\$6,877.78	\$1,859.60	\$0.00	\$0.00	\$0.00	\$0.00	-\$8,737.38	\$0.00

Prepays and Refunds

Prepays	\$0.00
Pending Refunds	\$0.00
GRAND TOTAL	\$0.00

Special tax districts include levies for pest infestation control (i.e. gypsy moth, mosquitoes), Community Center taxes, and Transportation Districts. For more information see <http://www.fairfaxcounty.gov/taxes/real-estate/tax-rates>.

Source: Fairfax County Department
of Tax Administration, Real Estate Division.

April 30, 2026

RE: Summary notes for 310 Missouri Avenue, (Home Daycare-12 children)

Date of Meeting: April 23, 2026

Time: 2:00pm

Location: HMC Large Conference Room

Attendees:

Town Staff:

Community Development Department

- Ben Schitter, Development Program Planner, Aaron Zoellick, Zoning Services Specialist, and Lisa Webster, Administrative Assistant

Department of Public Works

- Mike Farr, Utility Manager

Applicant:

- Barbara Lopez Otero
 - Carla Falconi (interpreter)
-

***** NOTE ** The information provided herein is intended to be a general summary of the information discussed in the pre-application meeting for this project and may not address all aspects of the project. Please be advised that any information provided both herein or in the meeting does not relieve the owner/applicant from the obligation to comply with any applicable codes or regulations. If there is a conflict between the information provided herein and any applicable code or regulation, the code or regulation will govern. If a conflict is identified with town code, a formal waiver must be submitted to the town and approved prior to site plan approval. The information herein does not imply that a waiver would be supported by staff, unless specifically stated, nor does it guarantee approval by the Director.***

Project Description

Proposed 12 children for home daycare with hours of operation from 6:00am to 10:00pm located at 310 Missouri Avenue.

Applicant Comments:

none

Community Development Comments:

Ben Schitter and Aaron Zoellick:

Emails: ben.schitter@herndon-va.gov; aaron.zoellick@herndon-va.gov

- The Special Exception cannot move forward if there are any open building permits
- A plat of the property needs to be submitted with the application
- Any home-based business shall occupy no more than 33 percent of the floor area, up to a total maximum floor area of 1,000 square feet on any one property
- One nonresident employee or associate of the home-based daycare is permitted between the hours of 6:00 a.m. and 9:00 p.m.
- Seventy-five square feet of outdoor play area must be provided on site per child enrolled in the daycare
- Outdoor play area must be enclosed by a fence with a minimum height of four feet
 - Requirements for an on-site outdoor play area may be waived when the applicant can demonstrate the home care service is located within 1,000 feet of an existing suitable play area, such as a park

Public Works Department/Building Inspections/Utilities Comments:

Mike Farr

Email: mike.farr@herndon-va.gov

- Trash and Recycle collection cannot exceed the cart capacity
- Trash and Recycle collection requires the use of Town of Herndon provided carts (note the Town only provided one cart for each collection type)
- Trash and Recycle carts cannot be used for any other purpose
- If needed an additional cart can be purchased through the town, here is a link to the application <https://www.herndon-va.gov/home/showpublisheddocument/16960/638083396809770000> .
- Note the maximum allowed number of carts. The request can be done in person at the second-floor counter of the HMC.

Action Items

1. If a plat is not available, provide pictures of the property. Specifically, the outdoor space that would be available for the customers.
2. Complete application must be submitted by May 8 in order to get the Special Exception on the agenda for the June Planning Commission meetings.

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the Planning Commission of the Town of Herndon, Virginia, will hold a public hearing on Monday, June 22, 2026, at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon, on the following items:

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. The property is designated in the Herndon 2030 Comprehensive Plan as “Neighborhood Conservation.” The 11,572 square feet lot is located between the intersections of Stuart Court and Missouri Avenue to the North and Mississippi Drive and Missouri Avenue to the South. Fairfax County Tax Map Reference Number: 0162 18110009. Applicant and owner: Barbara Lopez Otero.

SPECIAL EXCEPTION – SE #26-04, 865 3rd Street, to consider a special exception to permit a home-based business use within the R-15, Residential Single-Family District. The property is designated in the Herndon 2030 Comprehensive Plan as “Neighborhood Conservation.” The 20,038 square feet lot is located at the southeast corner of Monroe Street and 3rd Street. Fairfax County Tax Map Reference Number: 0104 03080005. Applicant and Property owners: Farrokh Mansouri and Ekaterina Mansouri.

The public is encouraged to participate in the town’s public hearing process. Individuals having an interest in the above items are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed items are available for examination by the public at the 2nd floor counter of the Herndon Municipal Center, 777 Lynn Street, Herndon, during normal business hours (Monday – Friday) and also available for review on the town’s website www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities, offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation.

Amanda Morrow Kertz, Town Clerk

Note to Publisher:

Publish on June 5, 2026/June 12, 2026

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

Planning Commission Regular Meeting
June 22, 2026

Aaron Zoellick
Zoning Services Specialist

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:

- Currently 265 sq. ft. of the ground level
- Can expand up to 803 sq. ft. or 33 percent of the floor area



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.



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 goods 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 applicant shall use 310 Missouri Avenue as their primary residence as long as the home-based child daycare is in operation.	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 rear yard 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

- Staff recommends that Planning Commission recommend approval of SE #26-03 with conditions to the Town Council.
 - The application would be presented to Town Council at the July 28, 2026, meeting.



Agenda Item: **SPECIAL EXCEPTION – SE #26-04, 865 3rd Street, to consider a special exception to permit a home-based business use within the R-15, 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 home-based instructional program for robotics and coding within the R-15, residential single-family district. The proposed use will increase the maximum number of customers allowed at the site from three to ten. The 20,038 square-foot lot is located on the southeast corner of the intersection of 3rd Street and Monroe Street.

Following the June 8 Planning Commission work session, condition five (5) in the staff report (2(e) in the proposed resolution), was updated to limit the number of lessons permitted. The proposed condition fully encompasses the sample lesson schedule provided by the applicant and continues to provide some flexibility for the timing and number of lessons offered.

Background/Timing Impact:

The applicant currently provides STEM tutoring to their own children and a few classmates. They have established a partnership with Fairfax County Public Schools and are seeking to expand the operation. The applicant hopes to offer a summer program.

Fiscal Impact:

The business will generate minor fees to include the business license fee and a one-time zoning inspection permit fee.

Legal Impact:

Conditions and applicable sections of the zoning code will be enforceable by the town 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. Sample Schedule
4. Operational Document
5. Explanation Letter
6. Floor Plan
7. Legal Ad
8. Presentation

STAFF REPORT

Agenda Item: Special Exception – SE #26-04, 865 3rd Street - Application to Permit a Home-Based Business not Consistent with the Standards Set Forth in Sec. 78-80.5 – Standards for Home-Businesses as Accessory Uses

Meeting Date: June 8, 2026

Staff Contact: Aaron Zoellick, Zoning Services Specialist
aaron.zoellick@herndon-va.gov (703) 787-7380
David Stromberg, AICP, Zoning Administrator
david.stromberg@herndon-va.gov (703) 787-7380

Summary Information:

Proposed Modification	This is an application for a special exception to permit a home-based instructional program for robotics and coding.
Address	865 3 rd Street
Fairfax County Tax Map Number	0104 03080005
Owners	Farrokh Mansouri, Ekaterina Mansouri
Applicant	Ekaterina Mansouri
Business/Organization	Launch Hub Learning LLC https://www.launchhublearning.com/
Property Use	Residential
Zoning District	R-15, Residential Single-Family
Lot Size	20,038 square feet
Building Size	3,464 square feet of above-grade living area
Adjacent Zoning	North, East, West: R-15 Residential Single-Family South: R-15 Residential Single-Family
Date of Construction:	2004
Comprehensive Plan Land Use Designation	Neighborhood Conservation

Background & Site Description:

865 3rd Street is located on the southeast corner of the intersection of 3rd Street and Monroe Street. The applicant currently provides the lessons to their own children and a few classmates. They are seeking the special exception so that they can offer the lessons to more children and operate this use as a business.

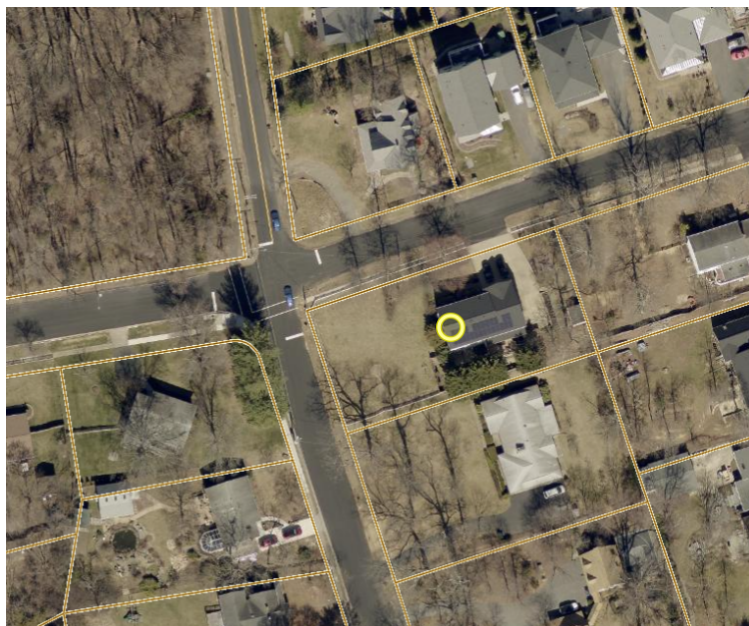
Sec. 78-80.5(c) permits the Town Council to approve a home-based business that is not consistent with the standards set forth in the zoning ordinance for home-based

business. The zoning ordinance permits no more than three customers or clients at the site for no more than two consecutive hours per day. Sec. 78-50(a)(11)(b). Additionally, the zoning ordinance limits the number of arrivals per day to no more than four nonresident persons who are employees, clients, customers, or associates of the home-based business during any 24-hour period. Sec. 78-80.5(a)(11)(c). The applicant wishes to have up to 10 students per class with an option for multiple sessions during certain days of the week. While this use is not a childcare business, it should be noted that childcare home-based businesses are allowed up to 12 arrivals per day by-right.

The regulations of the R-15 district are “meant to encourage uses that would substantially complement the development of single-family detached dwellings and that would contribute to the quiet residential nature of the district.” Sec. 78-30.1.

The property’s designation as Neighborhood Conservation in the Town of Herndon 2030 Comprehensive Plan reflects the Town’s intent to preserve and enhance the established

character and quality of existing residential neighborhoods while allowing limited, compatible accessory residential uses such as home-based businesses.



Case Details & Proposed Operations:

The applicant seeks a special exception to increase the maximum number of children permitted in their home-based business from three to 10. The proposed use will operate one weekday evening and from 9:30 a.m. to 11:30 a.m. on Sundays during the school year. A more intensive one week program may be offered during the summer, with lessons lasting up to six hours.

The home-based business is proposed to take place primarily on the basement level of the dwelling, which has an area of approximately 1,300 square feet. The lessons will be offered in the den which has an area of approximately 267 square feet. Access to the area will be through the walkout basement entrance. The basement level includes one bathroom. The applicant and one other instructor will be on-site for each instructional

session. Parents will drop off the students and return at the end of the lesson to pick them up.

The exterior appearance of the building will remain unchanged. No additional impervious area or land disturbance is proposed.

Staff Analysis:

The Town of Herndon Zoning Ordinance sets standards for by-right (administratively approvable) home-based businesses. A maximum of three clients on site for no more than two consecutive hours per day is the limit for by-right home-based businesses. Sec. 78-80.5(a)(11)(b). These standards can be amended by Town Council on a case-by-case basis through the special exception process.

Zoning Ordinance Compliance

Sec. 78-80.5. The Town's Zoning Ordinance standards are intended to balance the interests of home-based businesses with considerations related to traffic management, neighborhood compatibility, and adherence with applicable zoning and planning regulations. Staff evaluated the criteria for review of special exceptions found in Zoning Ordinance Sec. 78-155.3(e). Criteria (a)–(e), and (g)–(i) were found to be applicable to the analysis.

	Criteria Section 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 goods 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 with 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-15 Residential Single-Family 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 per session.

Staff Report – SE #26-04, 865 3rd Street
Planning Commission Work Session – June 8, 2026

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-15 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.

Criteria (f) and (j) – (m) were found to be not applicable to the analysis because there are no physical alterations to the structure proposed and the building is not located within the floodplain overlay.

Comprehensive Plan Adherence

The proposal is consistent with the Herndon 2030 Comprehensive Plan Neighborhood Conservation Land Use Policies and encourages uses that provide a variety of goods and services as well as promotes economic development that helps increase employment and add to the community tax base.

Parking

The zoning ordinance does not require additional parking for a home-based business.

Analysis of Conditions

Staff is currently recommending six conditions for this special exception. The conditions are consistent with previously approved special exceptions for home-based business daycares, which have similar operational characteristics as the current application. Staff believes these conditions provide reasonable ways in which the proposed use can operate while properly mitigating potential impacts, as well as achieving the purpose and intent of the applicable zoning district. Additional conditions may be presented at the June 22, 2026, Planning Commission regular meeting based on information provided by the applicant and Planning Commission input.

1. The site shall be developed and maintained in substantial conformance with a submitted special exception plan that is 33 percent or less of the gross floor area and in conformance with Section 78-80.5 of the zoning ordinance.
2. The maximum number of clients per session shall not exceed 10.
3. Child drop-off and pick-up shall be limited to the driveway.
4. One employee shall be present in the driveway to direct children from the vehicle to the home at drop-off and from the home to the vehicle at pick-up.
5. There shall be a one-hour gap between the end of one session and the beginning of another session offered on the same day.
6. No signage shall be permitted.

Any violation of the aforementioned conditions or other sections of the Herndon Town Code shall be grounds for revoking the special exception pursuant to the manner described in Sec. 78-155.3(h).

Fiscal Impact:

BPOL (business, professional, occupational, and license) fees can be collected on home-based businesses.

Planning Commission Alternatives:

The following alternatives are available to the Planning Commission for its decision on SE #26-04:

1. Recommend approval.
2. Recommend denial.
3. Continuance to the July 27, 2026, Planning Commission regular meeting.

Staff Recommendation:

The Planning Commission may consider recommending approval of SE #26-04 to the Town Council with conditions.

**TOWN OF HERNDON, VIRGINIA
PLANNING COMMISSION**

RESOLUTION

JUNE 22, 2026

Resolution- **to recommend approval of Special Exception (SE) #26-04, 865 3rd Street, to allow a home-based business use. The proposed use would increase the maximum number of clients permitted at the site to 10 and permit clients to stay at the site for up to eight hours, in certain circumstances.**

BE IT RESOLVED by the Planning Commission of the Town of Herndon, Virginia that:

1. The Planning Commission recommends approval of Special Exception (SE) #26-04, which, pursuant to §78-155.3(f)(3), shall not run with the land.
2. The conditions set forth below are necessary to achieve compliance with the standards found in §78-155.3(e)(1):
 - a. 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 §78-80.5 of the zoning ordinance.
 - b. The maximum number of clients on site shall not exceed 10.
 - c. Child drop-off and pick-up shall be limited to the driveway.
 - d. One employee shall be present in the driveway to direct children from the vehicle to the home at drop-off and from the home to the vehicle at pick-up.
 - e. Lessons shall be offered in substantial conformance with the following schedule:
 1. During the Fairfax County Public Schools year, one lesson per day, no longer than two hours, may be offered Monday through Friday between 4:00 p.m. and 9:00 p.m.
 2. During the Fairfax County Public Schools year, one lesson per day, no longer than two hours, may be offered on Saturday and Sunday between 8:00 a.m. and 9:00 p.m.

26-PC-011

3. During the Fairfax County Public Schools summer recess, lessons may be offered Monday through Friday either:
 - a. One per day, no longer than eight hours, between 8:00 a.m. and 9:00 p.m.; or,
 - b. Two per day; each lesson shall be no longer than three hours. The first lesson shall take place between 8:00 a.m. and 2:00 p.m., with the second lesson beginning no sooner than one hour after the first lesson concludes.
- f. No signage shall be permitted.

TOWN OF HERNDON I.T. DEPT. CAUTION
This is an **EXTERNAL EMAIL** Do NOT click links or open attachments unless you trust the sender. Do NOT
reply to unknown or unexpected senders.

Hi Aaron,

It's an all-day session, sort of like an intensive summer course that we offer only once a summer.

On Wed, Jun 3, 2026 at 9:49 AM Zoellick, Aaron <aaron.zoellick@herndon-va.gov> wrote:
Hi, Kate:

Can you clarify the summer session? Is 9 a.m. To 4 p.m. One all-day session? Or would
that be multiple one-hour sessions?

Best regards,

Aaron Zoellick, MPA, CZA

Zoning Services Specialist

Community Development

703-787-7380



From: Kate Mansouri [REDACTED]
Sent: Monday, June 1, 2026 2:47 PM
To: Zoellick, Aaron <aaron.zoellick@herndon-va.gov>
Cc: Annie Aristide [REDACTED]
Subject: Re: SE #26-04 Follow Up Questions

TOWN OF HERNDON I.T. DEPT. CAUTION
This is an **EXTERNAL EMAIL** Do NOT click links or open attachments unless you trust the sender. Do NOT
reply to unknown or unexpected senders.

Hi Aaron,

I apologize for the late response. Here is the sample schedule:

Summer:

July 27 31: Robotics and Coding, 9 AM 4 PM **we will cancel this if it cannot be approved; we
do not want this to impact the approval**

Fall/Winter:

Sunday, 9:30 11:30 AM: Robotics and Coding
One other workday, 5:00 6:00 PM: Robotics

Thank you!
Kate

Operational Statement: Special Exception Application

To: Town of Herndon Department of Community Development

Subject: Operational Plan for Home-Based Robotics and Coding Instruction - Launch Hub LLC

1. Overview of Proposed Use

The applicant, operating as **Launch Hub LLC**, a registered limited liability company, proposes to utilize a dedicated basement area of the residence for the purpose of providing educational instruction in Robotics and Computer Coding. Launch Hub LLC is an approved educational partner with Fairfax County Public Schools (FCPS). The primary objective of this program is to foster STEM (Science, Technology, Engineering, and Math) skills within the local youth community through structured weekend and evening sessions.

2. Operational Schedule

Instructional activities are designed to minimize neighborhood impact by primarily operating during non-peak business hours:

- **Standard Weekly Classes:** Sessions will be held during weekday evenings and throughout the day on Saturdays and Sundays. Each standard session will have a duration of exactly one (1) hour.
- **Summer Program (Limited):** Occasionally, the facility may host an intensive summer program. This program would involve longer instructional periods of up to six (6) hours per day.
- **Summer Frequency Constraints:** The extended summer program will be strictly limited to a maximum of three (3) weeks per calendar year. The applicant acknowledges that if any proposed summer program falls outside of the allowed limits set by the Town of Herndon, it will not be held at this location.

3. Instruction and Supervision

To ensure a high-quality educational environment and maintain the highest safety standards:

- **Staffing:** There will consistently be two (2) adults present during all instructional sessions (the primary instructor plus one additional adult instructor).
- **Professional Standards:** All instructors are covered by comprehensive professional liability insurance and undergo background checks.
- **Class Size:** Each group will consist of no more than ten (10) children per session, maintaining a 5:1 student-to-teacher ratio.

4. Parking and Traffic Mitigation

The applicant has developed a traffic management plan to prevent street congestion and ensure

the safety of students and neighbors:

Feature	Capacity/Procedure
Driveway Capacity	The existing driveway can accommodate up to seven (7) cars simultaneously.
Traffic Flow	Parents will drop off students and return for pick-up at the conclusion of the session.
Mitigation Strategy	With a maximum of 10 students and a 7-car driveway capacity, the impact on street parking will be negligible.

5. Compliance Statement

The applicant is committed to maintaining the residential character of the neighborhood. All activities will be conducted entirely within the basement level of the home. No external modifications or permanent signage are proposed. Launch Hub LLC will adhere to all local ordinances and conditions set forth by the Town of Herndon regarding this Special Exception.

Formal Letter of Intent: Special Exception Request

To the Town of Herndon Zoning Department:

I am writing to request a special exception for my home located at 865 3rd Street, Herndon, VA 20170.

This project began very personally: I started teaching robotics to my two daughters in our basement. As word got out, their interest grew into a small business, Launch Hub Learning LLC, which I now use to teach at various schools in the area.

While the business supports my daughters' passion for STEM, many of their friends attend different grades or schools where Launch Hub does not offer classes. These friends have asked to join my daughters so they can learn together. My goal is simply to host small lessons in my basement for my daughters and their peers to explore robotics and coding in a familiar, quiet setting.

I want to be very mindful of my neighbors and ensure this has a minimal footprint:

- **Parking & Traffic:** My driveway can accommodate up to six cars. Since the parents already know me, they will simply be dropping the kids off and picking them up two hours later—exactly like a typical playdate.
- **Environment:** This is a quiet, indoor activity held entirely within my home. There will be no outdoor noise, specialized equipment, or changes to the residential look of the property.

Ultimately, I want to create a space where my kids and their friends can continue to learn and grow together. Thank you so much for your time and for helping us with this request.

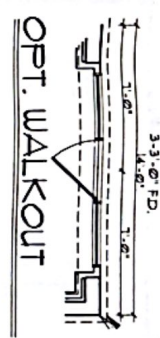
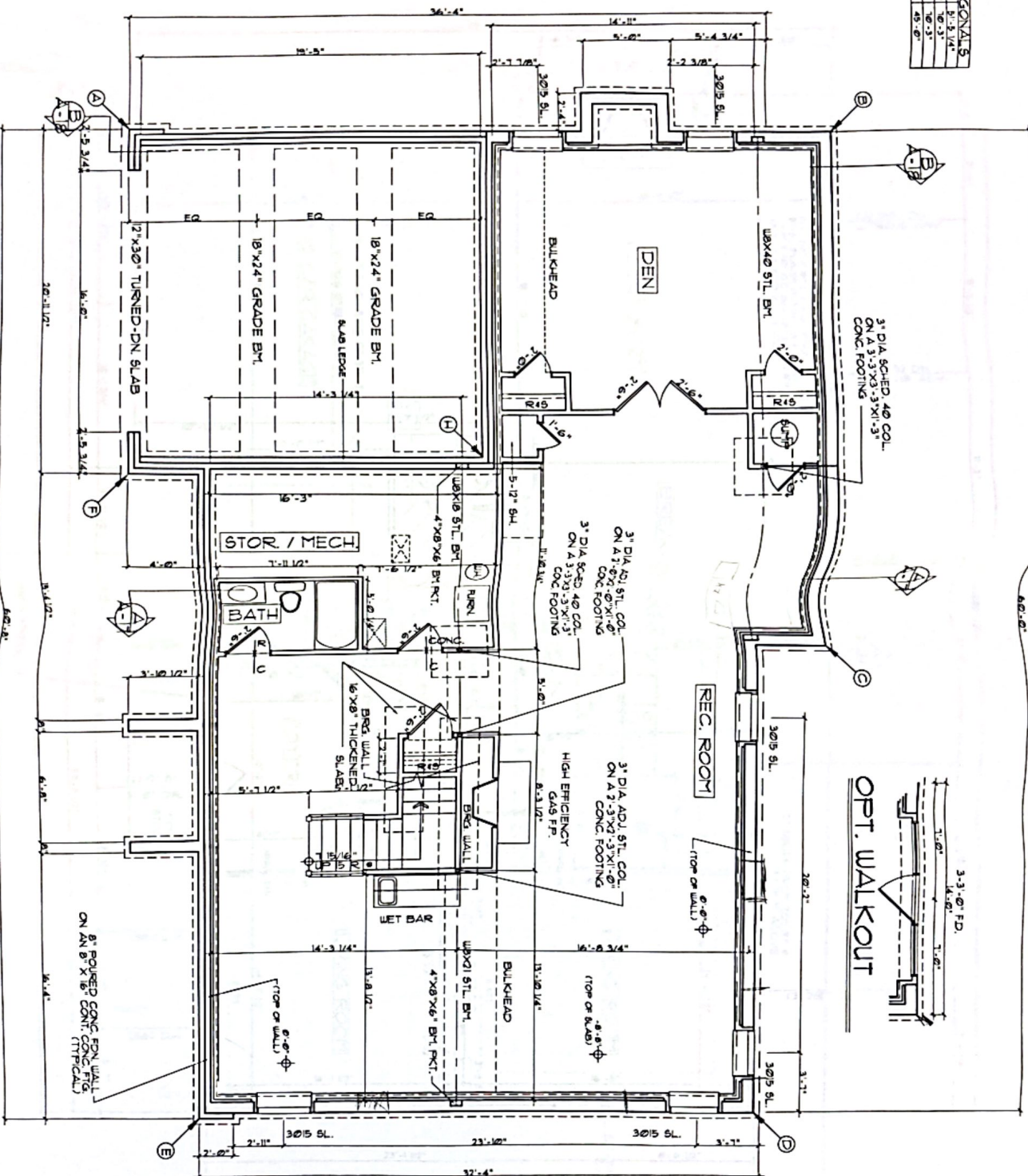
Sincerely,

Kate Mansouri Owner, Launch Hub Learning LLC



DIAGONALS	4'-0"	8'-0"	12'-0"
A TO C	8'-0"	12'-0"	16'-0"
A TO D	8'-0"	12'-0"	16'-0"
B TO E	8'-0"	12'-0"	16'-0"
C TO F	8'-0"	12'-0"	16'-0"

FDN. / BSMT. PLAN



A-1

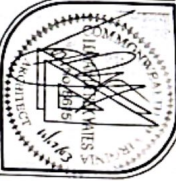
SHEET

PROJECT NAME	STONE RESIDENCE
SHEET TITLE	FDN./BSMT. PLAN
SCALE	1/4" = 1'-0"
ISSUE DATE	11/15/03
DRAWN BY	LDY
RE-ISSUE DATE	

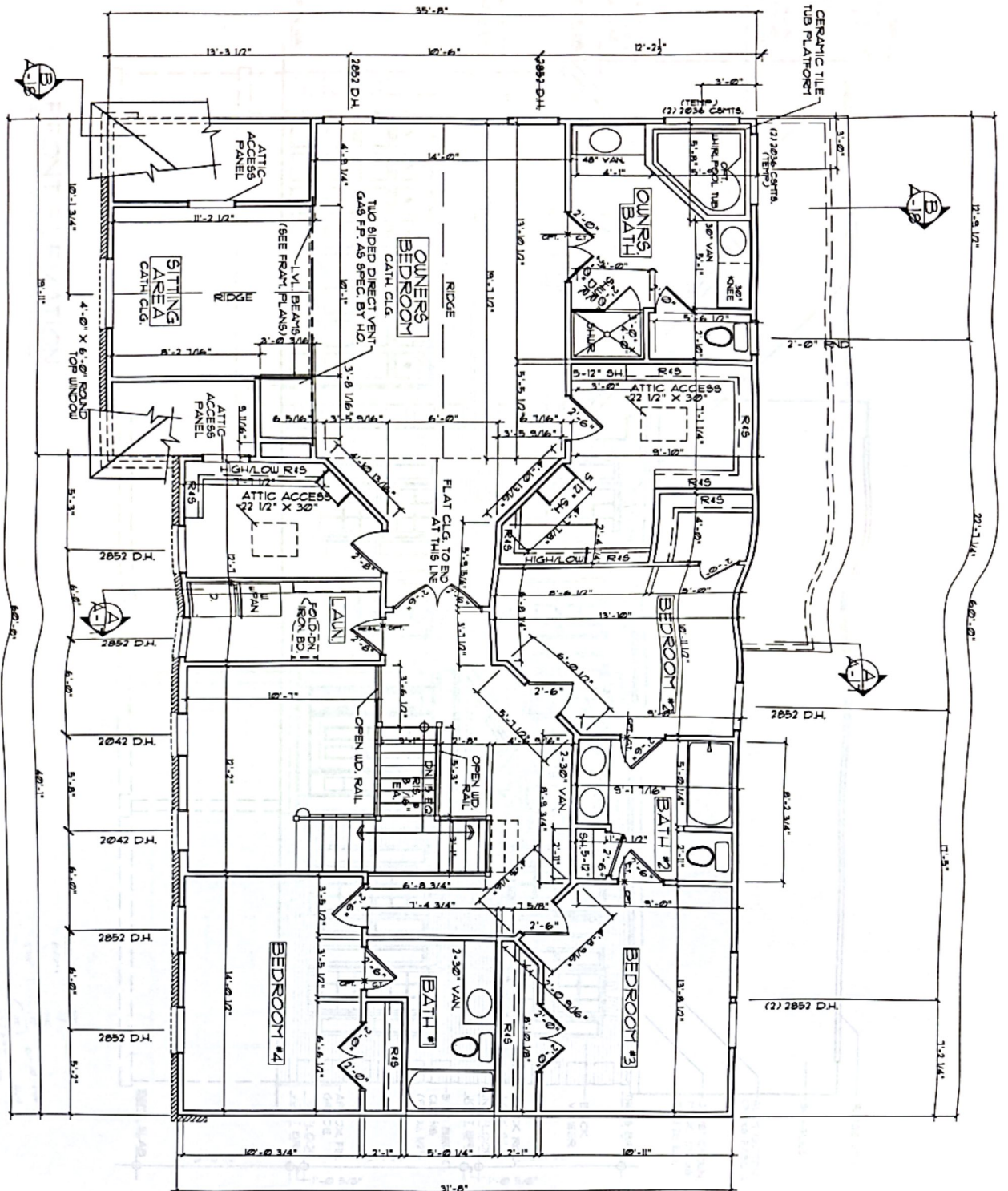
REVISION LOG
DATE DESCRIPTION

STONE RESIDENCE

LOGAN ARCHITECTURE, P.C. INC. EXPRESSLY RESERVES ITS COPYRIGHT AND ALL OTHER PROPERTY RIGHTS TO THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, COPIED, OR CORRECTED IN ANY MANNER OR PART THEREOF WITHOUT THE WRITTEN CONSENT OF L.A. ARCHITECTURE, P.C. INC. ALL THE DIMENSIONS, DETAILS AND SPECIFICATIONS ARE TO BE REVERSED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.



SECOND FLOOR PLAN



A-3

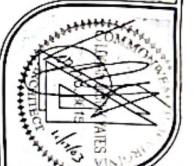
SHEET #

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 SHEET TITLE **SECOND FLOOR PLAN**
 SCALE **1/4" = 1'-0"** DRAWN BY **LDY**
 ISSUE DATE **11/15/03** RE-ISSUE DATE

REVISION LOG	
DATE	DESCRIPTION

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 BY THE CONTRACTOR PRIOR TO CONSTRUCTION.



Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the Planning Commission of the Town of Herndon, Virginia, will hold a public hearing on Monday, June 22, 2026, at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon, on the following items:

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. The property is designated in the Herndon 2030 Comprehensive Plan as “Neighborhood Conservation.” The 11,572 square feet lot is located between the intersections of Stuart Court and Missouri Avenue to the North and Mississippi Drive and Missouri Avenue to the South. Fairfax County Tax Map Reference Number: 0162 18110009. Applicant and owner: Barbara Lopez Otero.

SPECIAL EXCEPTION – SE #26-04, 865 3rd Street, to consider a special exception to permit a home-based business use within the R-15, Residential Single-Family District. The property is designated in the Herndon 2030 Comprehensive Plan as “Neighborhood Conservation.” The 20,038 square feet lot is located at the southeast corner of Monroe Street and 3rd Street. Fairfax County Tax Map Reference Number: 0104 03080005. Applicant and Property owners: Farrokh Mansouri and Ekaterina Mansouri.

The public is encouraged to participate in the town’s public hearing process. Individuals having an interest in the above items are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed items are available for examination by the public at the 2nd floor counter of the Herndon Municipal Center, 777 Lynn Street, Herndon, during normal business hours (Monday – Friday) and also available for review on the town’s website www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities, offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation.

Amanda Morrow Kertz, Town Clerk

Note to Publisher:

Publish on June 5, 2026/June 12, 2026

Special Exception (SE) #26-04

865 3rd Street

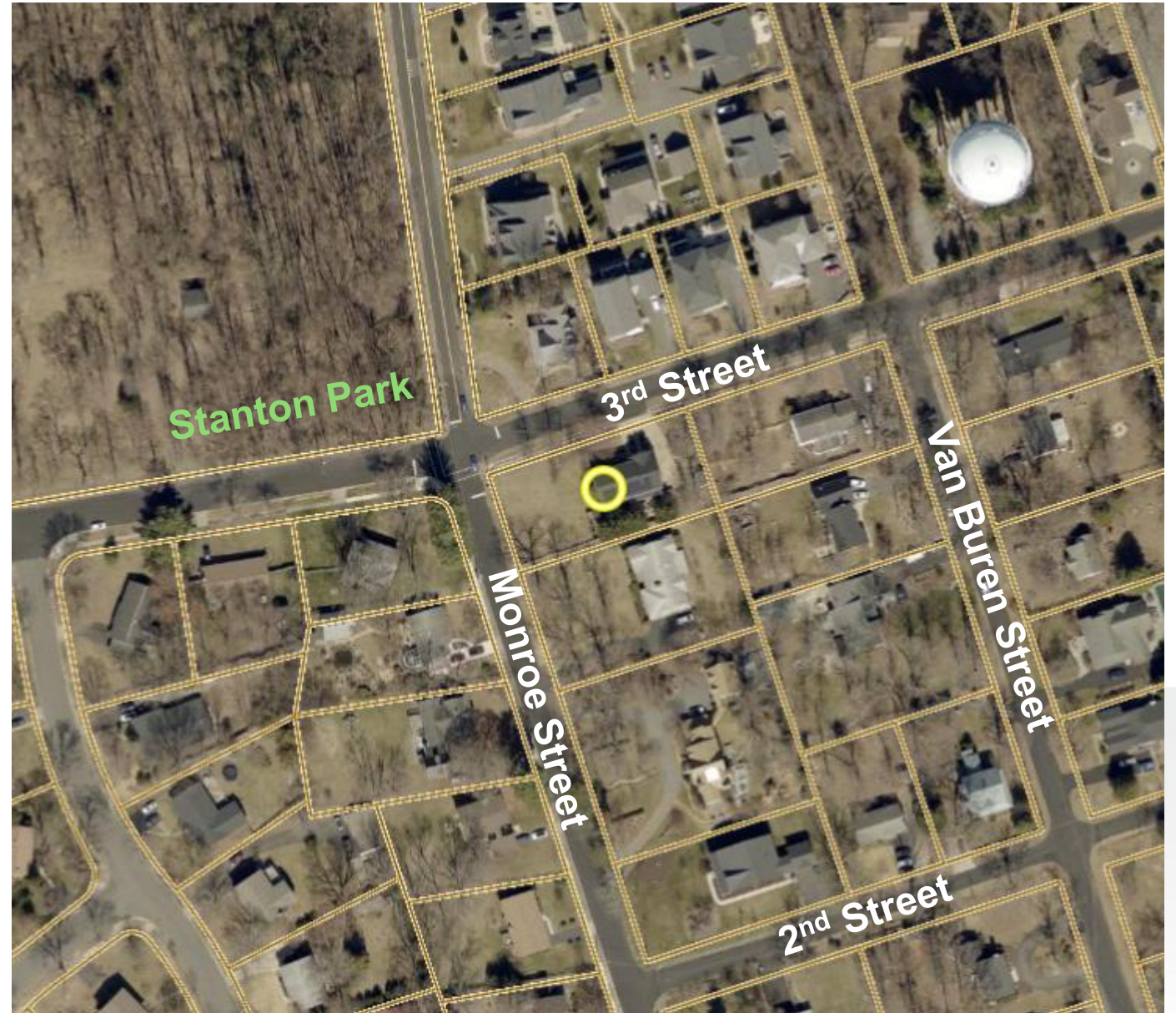
Home-Based Business

Planning Commission Working Session
June 22, 2026

Aaron Zoellick
Zoning Services Specialist

Site Description

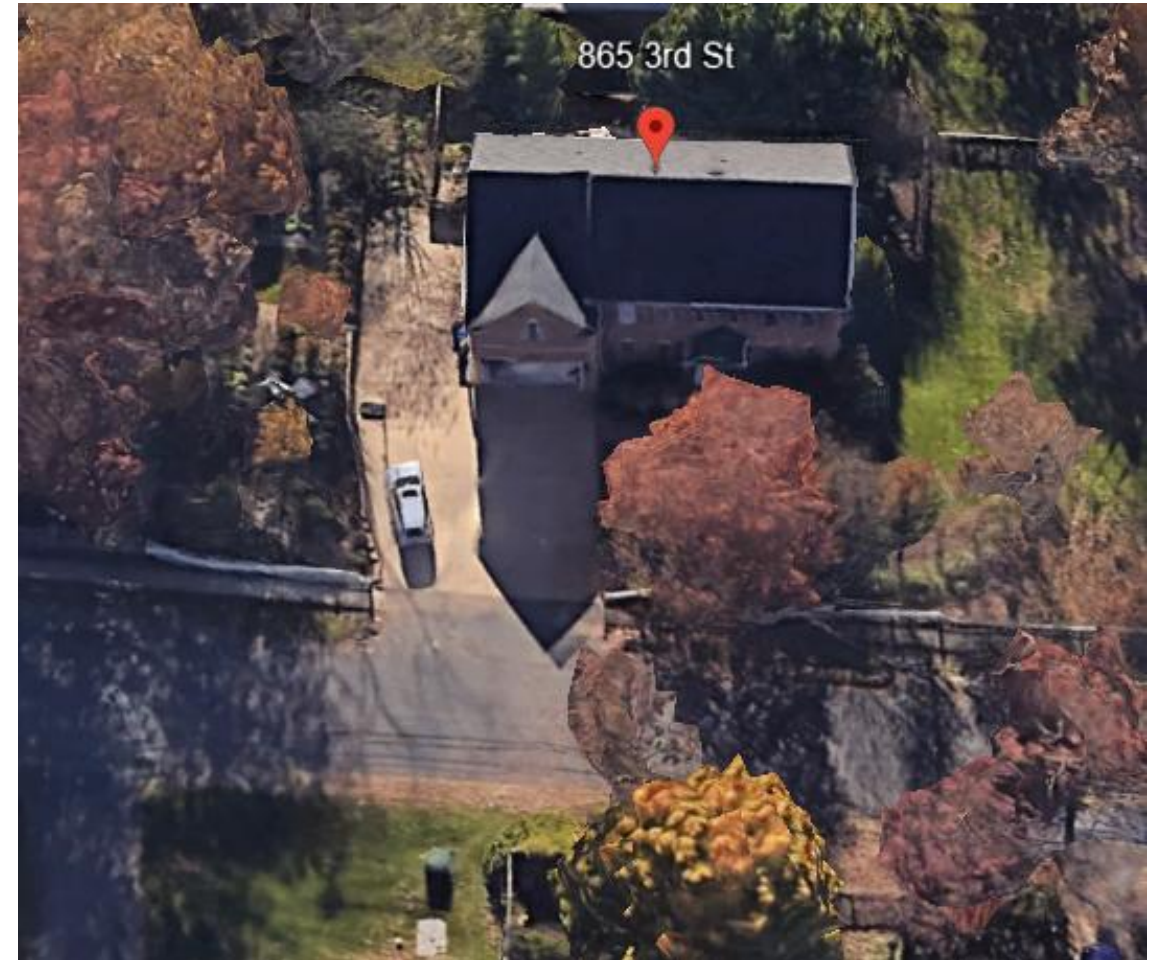
- 20,038 square feet
- R-15, Residential Single-Family
- Neighborhood Conservation



Current Operation

The applicant currently provides robotics and coding lessons to their own children and a few classmates.

The applicant formed Launch Hub LLC and is an approved educational partner with Fairfax County Public Schools.



Google Earth Image

Proposed Operations

Number of Employees:

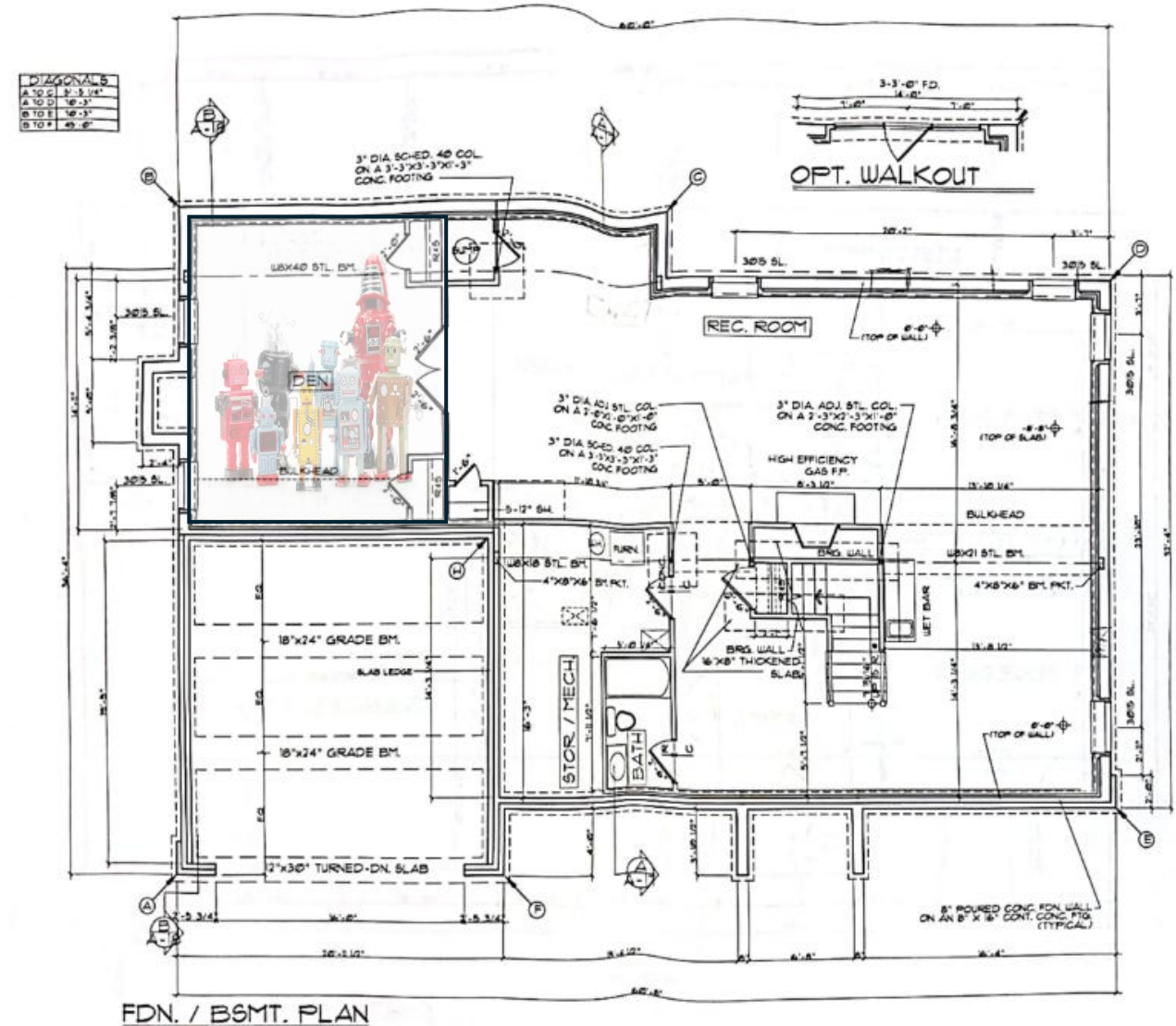
- Two (Applicant and one nonresident employee)

Proposed Hours:

- During School Year
 - One weekday 5:00 p.m. to 6:00 p.m.
 - Sundays 9:30 a.m. to 11:30 a.m.
- During Summer
 - One week of lessons from 9:00 a.m. to 4:00 p.m.

Space Dedicated to Home-Based Business:

- The lessons will take place in the basement den, which is approximately 267 sq. ft.



Microsoft Stock Image

LIVE DIFFERENTLY.

TOWN OF
Herndon

Page 71 of 75

Proposed Special Exception

The zoning ordinance limits the number of nonresident employees and visitors between the hours of 8:00 a.m. and 9:00 p.m. in two ways:

- Up to three customers or clients are allowed at the site for no more than two consecutive hours per day. Sec. 78-80.5(a)(11)(b)
- No more than four arrivals of nonresident persons who are employees, clients, customers, or associates of the home-based business shall occur during any 24-hour period. Sec. 78-80.5(a)(11)(c)

The applicant is requesting 10 children per session, with the summer sessions lasting more than two hours.



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-15, 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-15 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 maximum number of clients per session shall not exceed 10.		C and G
3.	Child drop-off and pick-up shall be limited to the driveway.		C and G
4.	One employee shall be present in the driveway to direct children from the vehicle to the home at drop-off and from the home to the vehicle at pick-up.		C and G
5.	Lessons shall be offered in substantial conformance with the following schedule:		C and G
	a.	During the Fairfax County Public Schools year, one lesson per day, no longer than two hours, may be offered Monday through Friday between 4:00 p.m. and 9:00 p.m.	
	b.	During the Fairfax County Public Schools year, one lesson per day, no longer than two hours, may be offered on Saturday and Sunday between 8:00 a.m. and 9:00 p.m.	
	c.	During the Fairfax County Public Schools summer recess, lessons may be offered Monday through Friday either:	
	i.	One per day, no longer than eight hours, between 8:00 a.m. and 9:00 p.m.; or	
	ii.	Two per day; each lesson shall be no longer than three hours. The first lesson shall take place between 8:00 a.m. and 2:00 p.m., with the second lesson beginning no sooner than one hour after the first lesson concludes.	
6.	No signage shall be permitted.		G

Staff Recommendation

- Staff recommends that Planning Commission recommend approval of SE #26-04 with conditions to the Town Council.
 - The application would be presented at the July 28, 2026, meeting.

