



# ZONING MAP CHANGE REPORT

## RUPPERT LANDSCAPING (Z2500028)

**Meeting Date: June 22, 2026**

### A. Executive Summary

Leticia Shapiro, of Morningstar Law Group, proposes to change the zoning designation of one parcel of land totaling 0.4 acres and located at 3513 Angier Avenue. The current zoning is Residential Suburban-20 (RS-20). The applicant proposes to change this designation to Industrial Light with a textual development plan (IL(D)) to allow this parcel to continue to be used as parking for the existing adjacent landscaping business. This zoning application was filed in response to a notice of zoning violation in order to allow the use to continue as a permitted use. The landscaping business is on an adjacent parcel located at 3517 Angier Avenue and complies with the use standards for the Industrial Light zoning district it is in.

The properties are currently designated Established Residential (ER) on the Place Type Map (PTM) (Attachment C). The proposed IL(D) zoning is inconsistent with the designated Place Type. If the proposed zoning is approved, staff recommends a change to the PTM to designate the property as Suburban Commercial (SC), consistent with the adjoining properties.

### B. Application Summary

Application Information			
Case Number	Z2500028	Submittal Date	August 29, 2025
Case Name	Ruppert Landscaping		
Case Type	Textual Development Plan		
Proposal	Rezone property to Industrial Light to include it in the adjacent landscaping business.		
Applicant Contact	Leticia Shapiro, <a href="mailto:tshapiro@morningstarlawgroup.com">tshapiro@morningstarlawgroup.com</a>		
Staff Contact	Javar Jones, <a href="mailto:Javar.Jones@DurhamNC.gov">Javar.Jones@DurhamNC.gov</a>		
Site Information			
Location	3513 Angier Avenue	Legacy Cases	None
Site Acreage	0.4 acres	Existing Use	Parking for landscaping business
REID(s)	<a href="#">158245</a>		
Request			
Designation	Existing	Proposed	
Jurisdiction	County	No change	
Development Tier	Suburban	No change	
Place Type Map	Established Residential (ER)	Suburban Commercial (SC)	
Zoning District(s)	Residential Suburban-20 (RS-20)	Industrial Light with a textual development plan (IL(D))	
Zoning Overlay(s)	None	No change	
Urban Growth Boundary	Within UGB	No change	
Allowable Use(s)	All uses permitted within the RS-20 district	All uses permitted within the IL district except payday lender, adult establishment, indoor	

	firing range, nightclub or bar, hotel, car wash, and gasoline sales.
Compliance with UDO and Adopted Plans	
<b>UDO Compliance</b>	The zoning map change request has been reviewed by staff and determined to be compliant with UDO requirements.

### C. Commitments in Excess of the UDO

Commitments Exceeding UDO Requirements
Prohibited uses shall include payday lender, adult establishment, indoor firing range, nightclub or bar, hotel, car wash and gasoline sales.
All plantings for the development of the site shall be native plantings as defined by the Durham Landscape Manual.

### D. Environmental Summary

Environmental Data				
<b>Watershed Overlay</b>	The site is not within a watershed overlay.			
<a href="#">NC Natural Heritage Inventory</a>	The NCNHI does not identify any unique, endangered, or sensitive species or vegetation on the site or the NCNHI identifies.			
	Site Name: N/A	C Rating: N/A	R Rating: N/A	
<a href="#">Wildlife Corridor</a>	The site is not within a wildlife corridor.			
UDO Compliance	Does Not Apply	Meets UDO	Exceeds UDO	UDO Reference
<b>Impervious Surface</b>	There is no impervious surface limit on this site.			<a href="#">Section 8.7, Watershed Protection Overlay Standards</a>
<b>Regulated Floodplain</b>	None on site			<a href="#">Section 8.4, Floodplain and Flood Damage Protection Standards</a>
<b>Steep Slopes UDO</b>	None on site			<a href="#">Section 8.8, Steep Slope Protection Standards</a>
<b>Stream Buffers</b>	None on site			<a href="#">Section 8.5, Riparian Buffer Protection Standards</a>
<b>Stream Buffer or Floodplain Intrusion</b>	Not applicable			<a href="#">Section 8.5, Riparian Buffer Protection Standards</a>
<b>Project Boundary Buffers</b>		A .6/.8 buffer is required against RS-20 zoned property.		<a href="#">Section 9.4, Project Boundary Buffers</a>
<b>Wetlands</b>	None on site			<a href="#">Section 8.9, Wetlands Protection Standards</a>
<b>Open Space</b>	Not required in the IL district			<a href="#">Article 6, District Intensity Standards</a>

				<a href="#">Section 7.2, Open Space</a>
<b>Tree Coverage</b>	Not required for any project under two acres.			<a href="#">Sec. 8.3, Tree Protection and Tree Coverage</a>

### E. Transportation Impact Summary

Current Conditions			
<b>Intensity of Current Zoning</b>	Transportation staff has estimated that the most intense use under the current RS-20 zoning designation for transportation-related impacts would be one single-family home.		
Transportation Impacts			
<b>Infrastructure Impacts</b>	Angier Avenue is the major road impacted by the proposed zoning change. There are no scheduled NCDOT or City roadway improvement projects in the area.		
<b>Transit Service</b>	Transit service is provided adjacent to the site along Angier Avenue via GoDurham Route 2.		
Existing Roadway Characteristics			
<b>Affected Roadway</b>	Angier Avenue		
<b>Type of Roadway</b>	Two-lane undivided city/county class II roadway without left-turn lanes		
<b>Current Roadway Capacity (LOS D) (AADT)</b>	11,800		
<b>Latest Traffic Volume (AADT)</b>	7,600		
Traffic Generation			
	<b>Daily Traffic Generated by Present Designation</b>	<b>Daily Traffic Generated by Proposed Designation</b>	<b>Potential Impact of Proposed Designation</b>
<b>Number of Trips</b>	A.M. Peak Hour: One trip P.M. Peak Hour: One trip Daily: Nine vpd	A.M. Peak Hour: 96 trips P.M. Peak Hour: 111 trips Daily: 1,591 vpd	A.M. Peak Hour: +95 trips P.M. Peak Hour: +110 trips Daily: +1,582 vpd
<b>Assumptions</b>	Maximum use of existing zoning: RS-20: One single-family home Maximum use of proposed zoning: IL(D): Convenience store with six fueling stations Vehicles Per Day (VPD) during an average 24-hour period		

### F. Equity and Engagement Summary

Neighborhood Meeting Information			
<b>Required Meeting Dates &amp; Additional Meeting(s)</b>	<a href="#">September 29, 2025</a> <a href="#">March 18, 2026</a>	<b>Number of Attendees</b>	One Zero
Durham Rezoning Explorer			
<b>Community comments from the <a href="#">Durham Rezoning Explorer</a></b>	There are no comments for this proposal as of May 27, 2026. Please refer to the Durham Rezoning Explorer for additional details.		
Equity: Potential Displacement			
	<b>Tax Value Increase in Area</b>	<b>Evictions in Area</b>	<b>Cost-Burdened Renters</b>
<b>Potential Displacement Risk <a href="#">(Source)</a></b>	61.9% (Census Block Group) 78.4% (County)	76 per square mile (Census Block Group) 21 per square mile (County)	54% (Census Block Group) 49.6% (County)

Demographics		
(Source)	Census Tract	County
People of Color	51.7%	54.8%
Median Age	37	35.8
Equity: Geography		
Is this in a formerly redlined area, as found in the <a href="#">Durham redline map</a> ?	The proposal is not within a formerly redlined area as seen in the redlined map.	

### G. Adjacent and Surrounding Development

Active Cases (within a half-mile)		
Active Site Plans	D2400176, Fox Crossing II – 320 apartment units with 4,800 square feet of commercial space	
Active Zoning Map Changes	Z2600002, Parmer Edge Two – office, warehouse, and amenity space	
Active Annexations	None	
Proximity to Essential Services		
	Distance from Site	Amenity
Proximity to Grocery/Food	2.3 miles	Publix
Proximity to Retail/Commercial	2.3 miles 3.4 miles	Marketplace at Ellis Crossing The Village Shopping Center
Proximity to a Park/Public Space	1.0 mile 1.6 miles	C.R. Wood Park Bethesda Park
Proximity to Healthcare	3.2 miles 6.1 miles	Lincoln Community Health Center Duke University Hospital
Proximity to a School	2.2 miles 5.3 miles 4.2 miles	Bethesda Elementary Neal Middle Southern High
Proximity to a Transit Stop	0.1 miles	GoDurham Route 2

### H. Comprehensive Plan Policies

Comprehensive Plan Policy Consistency		
Generally consistent with the following number of applicable policies of the Comprehensive Plan	Consistent by Exceeding UDO	3
	Consistent by Meeting UDO	7
	Policy Not Met	1
	Policy Not Applicable	20
Comprehensive Plan Policy Consistency Analysis	Attachment E	
Place Type Analysis		
The proposed IL(D) zoning is inconsistent with the designated place type. The proposal is for Industrial Light zoning, which does not permit residential uses and is therefore inconsistent with the established residential place type. If the proposed zoning is approved, staff recommends a change to the PTM to designate the property as Suburban Commercial (SC). The proposal matches with the current adjacent place type designation that makes the recommended Suburban Commercial place type more appropriate.		

### I. Case Timeline Summary

Timeline of Activity on the Case	
Date of Presubmittal Meeting	April 3, 2025

<b>Date Completed Application Submitted</b>	August 29, 2025
<b>Date All Comments Addressed</b>	February 19, 2026
<b>Date of Planning Commission Public Hearing</b>	April 14, 2026
<b>Date of BOCC Public Hearing</b>	June 22, 2026

**J. Advisory Body Recommendations**

<b>Bicycle and Pedestrian Advisory Commission (BPAC)</b>	
<b>Bicycle Pedestrian Advisory Commission (BPAC) Comments</b>	<p><b>BPAC Comment:</b> Construct a 12-foot paved multi use path (MUP) with a yellow thermo-paint dashed centerline and a 10-foot buffer from the road, with trees planted in the buffer along the Angier Avenue frontage of this property and the adjacent 3517 Angier Avenue property. Include on-ramps and high visibility crosswalks at intersections.</p> <p><b>Applicant Response:</b> This comment is noted.</p>
<b>Planning Commission</b>	
<b>Planning Commission Vote</b>	The Planning Commission recommended approval on a 12-0 vote at their April 14, 2026 meeting.

**K. Conclusion**

The proposal would allow for the continued use of this parcel as parking for the existing adjacent landscaping business. The business is located at 3517 Angier Avenue, but has expanded to the adjacent parcel located at 3513 Angier Avenue for parking. This zoning application was filed in response to a notice of zoning violation as the RS-20 zoning district does not permit a landscaping business use. Approval of the zoning map change request would make the current use of the property a permitted use and address a notice of violation for the site.

The applicant is proposing to prohibit the following uses: payday lender, adult establishment, indoor firing range, nightclub or bar, hotel, car wash and gasoline sales. Additionally, the applicant has committed to using native plantings only for required plantings for the development of the site. The IL(D) zoning would permit the continued use of this parcel as the parking lot for the adjacent landscaping business.

The proposed IL(D) zoning is inconsistent with the designated place type. As the Place Type Map designation is Established Residential, staff recommends that if the zoning map change is approved, the place type designation change to Suburban Commercial to be consistent with the adjacent parcels. This proposal is consistent with 10 of 11 of applicable policies of the Comprehensive Plan, as found in Attachment E – Comprehensive Plan Consistency.

**L. Notification**

Staff certifies that newspaper advertisements, letters to property owners, and the posting of the property have been carried out in accordance with paragraph 3.2.5 of the UDO. In addition, email notice was provided per the Durham Planning Public Notification Service.