



# REZONING STAFF REPORT

Case: PLAN2505-0001  
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Planning Board: June 2, 2025 County Commissioners: June 16, 2025

## Rezoning from the RA-40 Zoning District to the Commercial Zoning District

### Applicant Information

#### Owner of Record:

Name: Blissful Realty, LLC  
Address: 201 Fenton Gateway Dr., Ste. 200  
City/State/Zip: Cary, NC 27511

#### Applicant:

Name: Hunter Winstead, Morningstar Law Group  
Address: 434 Fayetteville St. Suite 2200  
City/State/Zip: Raleigh, NC 27601

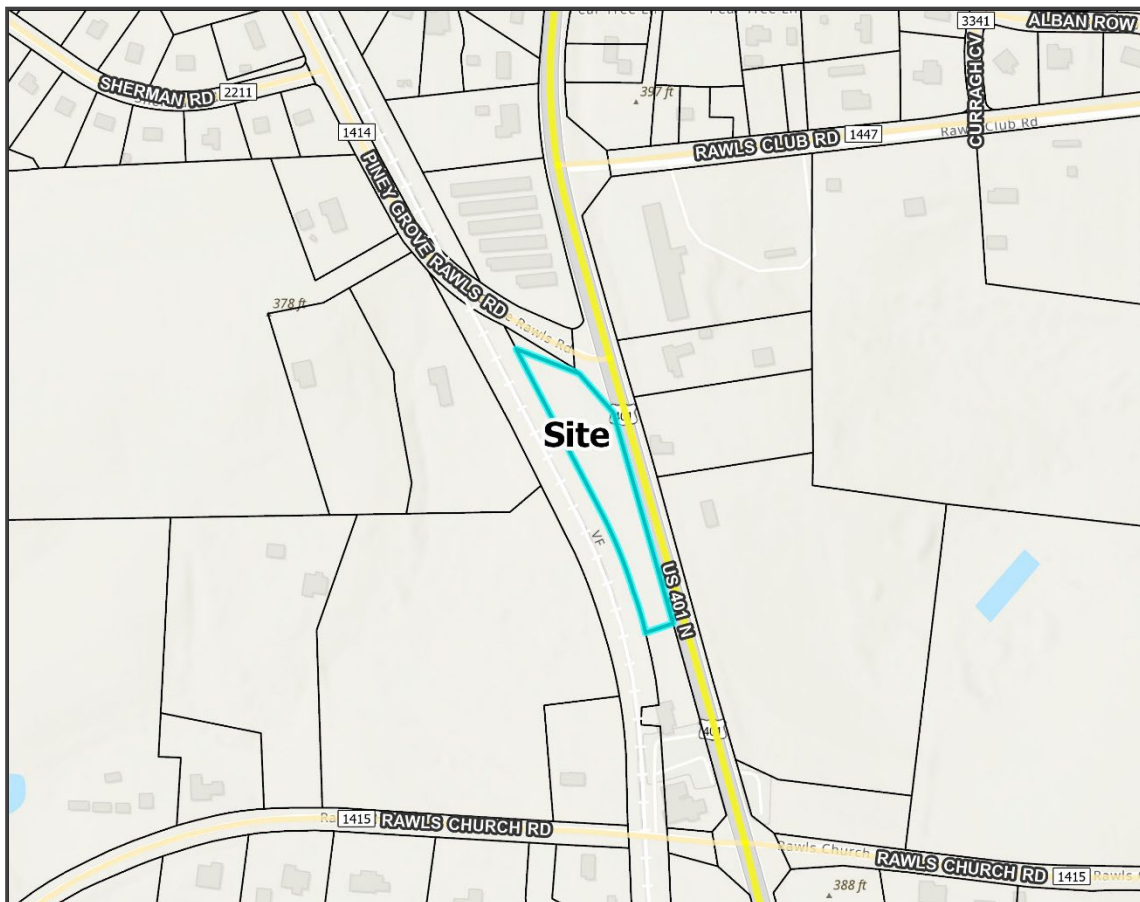
### Property Description

PIN(s): 0655-41-5460.000 Acreage: 1.96  
Address/SR No.: U.S. 401 N., Fuquay-Varina

#### Township:

- |                                         |                                                   |                                             |
|-----------------------------------------|---------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Anderson Creek | <input type="checkbox"/> Buckhorn                 | <input type="checkbox"/> Johnsonville       |
| <input type="checkbox"/> Averagesboro   | <input type="checkbox"/> Duke                     | <input type="checkbox"/> Lillington         |
| <input type="checkbox"/> Barbecue       | <input type="checkbox"/> Grove                    | <input type="checkbox"/> Neill's Creek      |
| <input type="checkbox"/> Black River    | <input checked="" type="checkbox"/> Hectors Creek | <input type="checkbox"/> Stewart's Creek    |
|                                         |                                                   | <input type="checkbox"/> Upper Little River |

### Vicinity Map



## Physical Characteristics



### Site Description

The property is currently a vacant, unimproved site formerly used for agricultural purposes. The property is also bound by a railroad right-of-way to the west.

*Note: The property only has access to US 401 N. and **does not** appear to have access to Piney Grove Rawls Rd. due to a small portion of the parcel located to the north being situated between the subject property and the ROW.*

### Surrounding Land Uses

Surrounding land uses consist of single-family homes, a self-storage facility, a religious structure, a memory care facility, and agricultural activities.

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## Services Available

Water:

- ☒ Public (Harnett County)
- ☐ Private (Well)
- ☐ Other: Unverified

Sewer:

- ☐ Public (Harnett County)
- ☒ Private (Septic Tank)
- ☐ Other:



**Transportation:**

The Annual Average Daily Traffic Counts:

**US 401 N.** 10,000

**Piney Grove Rawls:** 11,000

**Site Distances:**

**Piney Grove Rawls and U.S. 401:** Fair

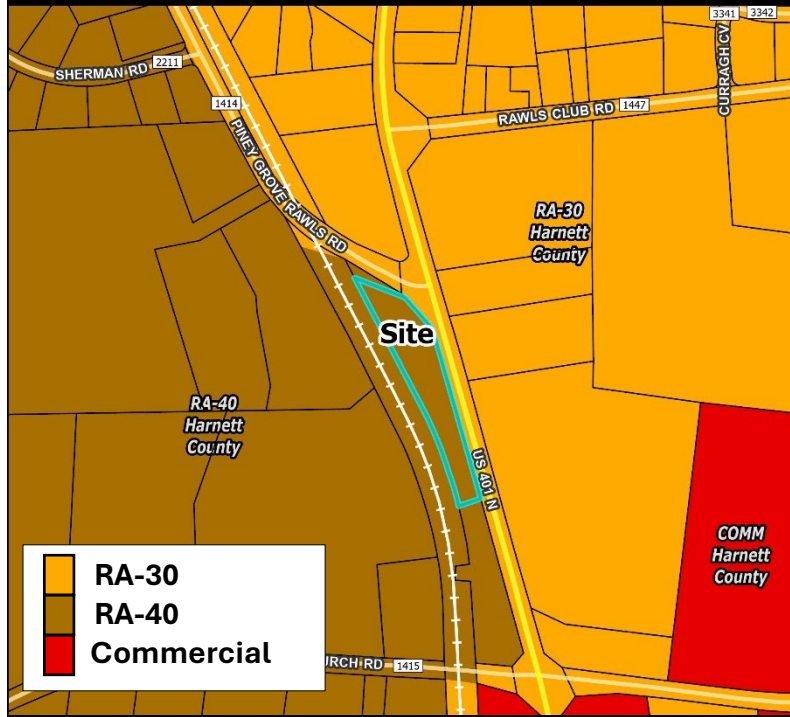
**US 401 North:** Fair

**US 401 South:** Good

There is a curve in U.S. 401 to the north of the intersection that impacts site distance.

**Intersection of Piney Grove Rawls Rd. & U.S. 401 N.**

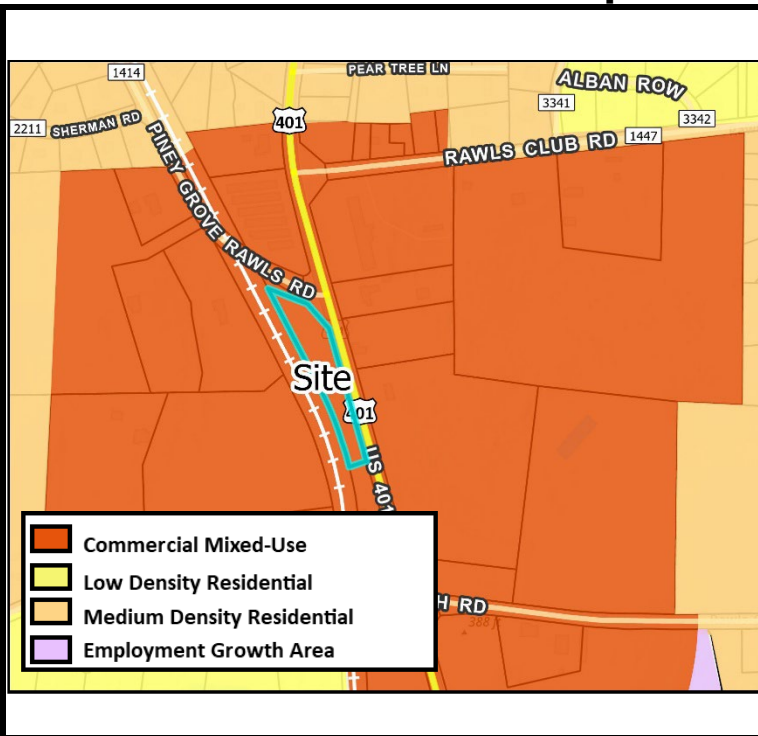
## Zoning District Compatibility



	Current RA-40	Requested Commercial
Parks & Rec	<b>X</b>	<b>X</b>
Natural Preserves	<b>X</b>	<b>X</b>
Bona Fide Farms	<b>X</b>	<b>X</b>
Single Family	<b>X</b>	
Manufactured Homes, (with design criteria)		
Manufactured Homes		
Multi-Family		
Institutional	<b>SUP</b>	<b>X</b>
Commercial Services	<b>SUP</b>	<b>X</b>
Retail		<b>X</b>
Wholesale		<b>SUP</b>
Industrial		
Manufacturing		

The above is a summary list of potential uses.

## Land Use Classification Compatibility



	PROPOSED ZONING	LAND USES
	Commercial	Commercial Mixed-Use
Parks & Rec	<b>X</b>	<b>X</b>
Natural Preserves	<b>X</b>	<b>X</b>
Bona Fide Farms	<b>X</b>	<b>X</b>
Single Family		<b>X</b>
Manufactured Homes, Design Regulated		
Manufactured Homes		
Multi-Family		<b>X</b>
Institutional	<b>X</b>	<b>X</b>
Commercial Service	<b>X</b>	<b>X</b>
Retail	<b>X</b>	<b>X</b>
Wholesale	<b>SUP</b>	<b>X</b>
Industrial		
Manufacturing		

The above is a summary list of potential uses. For all applicable uses for each Zoning district, please refer to the UDO's Table of Uses.



## Land Use Description:

### Commercial Mixed Use

These areas are located along major roads and include a mix of commercial land uses and some residential uses. This character area is home to medium to large-scale retail, services, restaurants, offices and other businesses. Residential uses may include single-family homes, townhomes, missing middle housing types and occasionally apartments.

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## Site Photographs





## Road View

**U.S. 401 N. North**



**U.S. 401 N. South**



**Piney Grove Rawls – North View**



**Piney Grove Rawls – South View**





## Across Street

**Across US 401 N.**



**Across Piney Grove Rawls Rd.**



## Surrounding Land Uses







## Evaluation

- ☒ Yes ☐ No **A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.**

The subject property is located in an area characterized by a mix of residential and commercial land uses. Recently, the area has experienced an influx of commercial development, including a self-storage facility and a memory care center. Several properties in the vicinity have recently been rezoned to the Commercial zoning district, further signaling a trend toward increased commercial activity.

- ☒ Yes ☐ No **B. There is a convincing demonstration that all uses permitted under the proposed district classification would be in the interest of the general public and not merely the interest of the individual or small group.**

The requested zoning district is compatible with the underlying land use, *Commercial Mixed Use*. These areas are located along major roads and include a mix of commercial land uses and some residential uses. This character area is home to medium to large-scale retail, services, restaurants, offices and other businesses. The uses permitted in the Commercial zoning district are compatible with the underlying land use.

- ☒ Yes ☐ No **C. There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)**

There is a convincing demonstration that all uses permitted under the proposed zoning district classification would be appropriate in the area included in the proposed change. The uses permitted in the Commercial zoning district are compatible with the surrounding and nearby commercial land uses. Additionally, the property has access to a major thoroughfare and water service and is located in the Commercial Mixed Use land use area.



☒ Yes ☐ No **D. There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.**

There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by the uses permitted in the requested zoning district. The uses permitted in the Commercial zoning district are compatible with the nearby non-residential land uses.

☒ Yes ☐ No **E. The proposed change is in accordance with the comprehensive plan and sound planning practices.**

The requested zoning district is compatible with the future land use classification, Commercial Mixed-Use. These areas are located along major roads and include a mix of commercial land uses and some residential uses. This character area is home to medium to large-scale retail, services, restaurants, offices and other businesses. Residential uses may include single-family homes, townhomes, missing middle housing types and occasionally apartments.

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### **Suggested Statement-of-Consistency** (Staff concludes that...)

As stated in the evaluation, the requested rezoning to **Commercial** would not have an unreasonable impact on the surrounding community based on compatibility with the future land use plan. It is recommended that this rezoning request be **APPROVED**.

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## **Standards of Review and Worksheet**

### **TYPICAL REVIEW STANDARDS**

The Planning Board shall consider and make recommendations to the County Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- ☐ Yes ☐ No A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ Yes ☐ No B. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ Yes ☐ No C. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ☐ Yes ☐ No D. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ Yes ☐ No E. The proposed change is in accordance with the comprehensive plan and sound planning practices.

### ☐ GRANTING THE REZONING REQUEST

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

### ☐ DENYING THE REZONING REQUEST

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- ☐ The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ☐ There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- ☐ The proposed change was not found to be reasonable for a small scale rezoning