

DEVELOPMENT APPLICATION: FIGHTING PIKE DATA CENTER
PLANNER: City of Williston/SRF Consulting Group

APPLICANT CRITICAL DATA HOUSING, LLC		PROPERTY OWNER CITATION NORTHSTAR CENTER AND YAM CAPITAL, LLC
LOCATION/ADDRESS Southwest of the intersection of US 2 and US 85 Bypass, northwest of the intersection of US 2 and 84 th Street W.	LEGAL DESCRIPTION Section 23, T155N, R 101W	PROPERTY SIZE 510.91 Acres
PROPOSED ENTITLEMENTS Subdivision Plat Comprehensive Plan Amendment Transportation Plan Amendment Planned Unit Development Amendment		
CURRENT ZONING PUD – PLANNED UNIT DEVELOPMENT	SURROUNDING ZONING	NORTH: A, R-1E SOUTH: A EAST: C-2, M-2 WEST: A
CURRENT LAND USE UNDEVELOPED/AGRICULTURAL	SURROUNDING LAND USES	NORTH: Agricultural SOUTH: Agricultural EAST: Commercial, Industrial WEST: Agricultural, Oil Development

ANALYSIS

PROJECT OWNERSHIP

Title on the subject property has not been fully cleared. Letters of agreement from the current property owners of record for the proposal (Planned Unit Development Amendment, Subdivision Plat, Comprehensive Plan Amendment, Transportation Plan amendment) from Yam Capital LLC and Citation Northstar Center LLC must be proved.

- The applicant has been notified that these letters need to be received by 5:00 PM Wednesday, March 12th or this item will not be on the agenda for the Planning and Zoning Commission Meeting on March 17th.
- What is required: Letter from owner(s) of record concurring with the proposal (Planned Unit Development Amendment, Subdivision Plat, Comprehensive Plan Amendment, Transportation Plan amendment) and allowing a representative to sign the application (in the event of

corporate ownership, a list of all directors, officers, stockholders of each corporation owning more than 5 percent of any class of stock must be attached).

INTRODUCTION

This staff report provides a review and recommendations regarding the development proposal for the Fighting Pike data center complex. The staff report is organized as follows:

1. Project Background
2. Development Plan
3. Traffic Impact Study
4. Noise Study
5. Preliminary Plat
6. Comprehensive Plan Amendments
7. Transportation Plan Amendments
8. Zone Change

Items 5-8 require a motion from the Planning Commission. The Comprehensive Plan Amendments are required to enable the zone change. The Transportation Plan Amendments are necessary due to project impacts to the City's 2040 functional classification network. The zone change is contingent on approval of the proposed subdivision and plan amendments. This staff report provides analysis and recommendations for the entitlement process and plan amendments.

The City has elected to use the Planned Unit Development (PUD) option for this project. The PUD process allows the City and the applicant to work together to set specific zoning requirements and development standards that are appropriate for this project. The City and the applicant have been engaged in conversations for several months to ensure this project meets the needs of both parties. Recommendations for a formal PUD Agreement are indicated in bold text throughout this report and are summarized in Section 8.D – Proposed Standards and Conditions. The PUD Agreement covers items related to zoning and land use, such as noise mitigation and landscaping. This report serves as the basis for the PUD Agreement. This PUD is also an amendment to the current PUD in place for the Northstar Center Subdivision.

Additionally, the applicant will be required to enter into a Development Agreement with the City of Williston. A Development Agreement covers items related to the development process and the provision of roads and infrastructure. Section 5.H – Development Agreement describes this process and outlines specific items to include in the Development Agreement. The Development Agreement will be established in a separate document, which must be signed and executed prior to approval of the final plat.

1. PROJECT BACKGROUND

A. Development Proposal

A complete development proposal has been submitted for a tract of land located within Section 23 of Missouri Ridge Township (T155N, R101W), City of Williston, Williams County, North Dakota. The property owner and applicant, Critical Data House (CDH), proposes the multi-phased development of a data center complex, to be known as “Fighting Pike”. The project site occupies over 400 acres in north Williston and is situated near the junction of US 2 and the US 85 Bypass.

B. Industry Trends and Definitions

Demand for data centers and associated power generation is rapidly expanding due to growth in cloud computing and development of artificial intelligence (AI) technology. The abundance of land and ongoing energy development in Western North Dakota, as well as its moderate climate, is a geographical advantage for data center development. Data centers powered by regional fuel sources provide added value to and increase demand for natural gas production.

It is important to note the distinction between data centers and cryptocurrency mines. Fundamentally, a data center is the physical facility where the internet lives. It consists of networked computer systems used for data storage and processing, along with supporting equipment, including batteries and back-up power generators. A cryptocurrency mine uses blockchain technology in a computationally intensive process to verify transactions of cryptocurrency (e.g., Bitcoin). The Atlas Power facility in Williams County is a cryptocurrency mine. Fighting Pike would be the first data center complex of its kind in western North Dakota. Applied Digital operates a growing data center operation in Ellendale. There are smaller, use-specific data centers in Fargo, Bismarck, and other urban centers.

C. Property History

The development parcel was platted in 2015 as the Northstar Center Subdivision and was zoned as a Planned Unit Development. The property was originally planned for a mix of commercial and residential uses but was never developed. Underground utilities were installed in portions of the site and then abandoned. The original subdivision plat dedicated right-of-way to one arterial road and two collector roads. These alignments were incorporated into the 2040 roadway network and travel demand model developed for the Transportation Plan.

D. Site Characteristics

The site has direct access to the regional highway system. It is located within the US 2 commercial corridor, which is a critical gateway to north Williston. Camp Creek and surrounding coulees create development challenges in the northern portion of the site. Overall, however, the site is highly suitable for the proposed development, given its large land area, proximity to two major highways, and compatibility with surrounding commercial and industrial uses.

E. Application Submittal Materials

All required application items have been submitted and reviewed. The development submittal packet contains the following information:

- Project overview.
- Memorandum of Understanding.
- Project schedule.
- Title commitment.
- Description of power consumption by phase.
- Preliminary plat.
- Utilities plan (water, sanitary, and storm sewer/stormwater management systems).
- Description of generators and noise attenuation.
- Description of water usage.
- Preliminary site plan.
- Typical road sections (for onsite private roads).
- Existing topography and proposed grading detail.
- Preliminary landscaping plan.
- Building elevations and exterior materials.
- Fully rendered development concept (various views).
- Preliminary concepts for programming of interior spaces.

2. PUD DEVELOPMENT PLAN

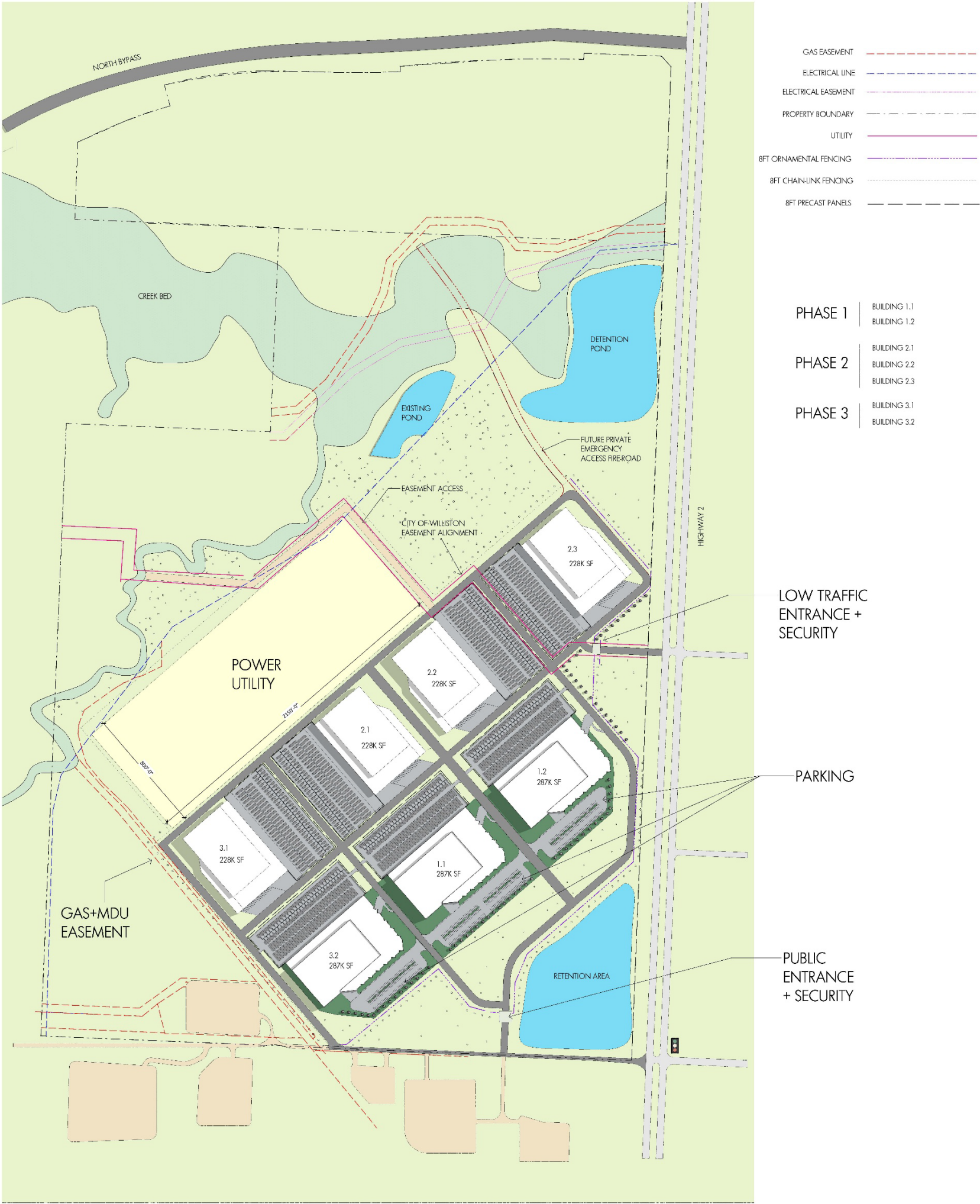
A. Site Plan

Figure 1 on the following page shows the Preliminary Site Plan. The Site Plan indicates proposed buildings, roads, landscaping, and other elements of the development at buildout, which are discussed in detail throughout this report. The data center complex will be located on Lot 2 of the Northstar Center Subdivision Rearrangement #1. (See Section 5. Preliminary Plat for a detailed review of the proposed subdivision.)

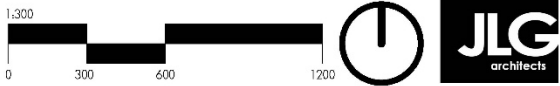
B. Development Phasing

Development is planned to occur in three phases. Two buildings are planned for Phase 1, three buildings are planned for Phase 2, and two buildings are planned for Phase 3. Phasing for landscaping, utilities, and other elements of the project will occur as described throughout this staff report. The total number of jobs, trip generation, power demand, and water usage, etc., will increase over the life of construction until the site is built out. Building 1 will be operational by the end of 2026. Buildout is anticipated to be complete by 2031. Laydown yards will be needed to facilitate construction. Location of the laydowns yards will need to be coordinated with City staff—see the PUD Standards and Conditions in Section 8 of this report.

Figure 1. Preliminary Site Plan



FIGHTING PIKE
PRELIMINARY SITE PLAN
02/25/2025 | JLG 24198 | © 2025 JLG ARCHITECTS



C. Employment Impacts

The project will provide both long-term career opportunities in operations and maintenance and temporary construction jobs. **Table 1**, below, summarizes the direct employment benefits of the project by phase. On average, each data center building will sustain 40-50 full-time employees, including both operations and maintenance personnel, with additional support from ancillary service industries. In addition, the project will induce demand for employment in related industries and trades, such as services that will be needed to provide ongoing maintenance to the facility.

Table 1. Employment Benefits by Phase

Phase	Permanent Employment			Temporary Employment	Total Employment
	Operations	Vendors	Security	Construction*	
Phase 1	80	30	10	350	470
Phase 2	125	75	10	350	560
Phase 3	155	105	10	350	620
Buildout	155	105	10	0	270

**350 construction jobs per building. If scheduling allows for the simultaneous construction of two buildings, the number of construction workers on-site could increase to 650 at peak periods, with some overall efficiencies gained by economies of scale.*

D. Fiber connection and Capability

The project intends to offer dark and lit (optical) fiber solutions. 100G, 400G fiber solutions will be offered as part of the technology campus. The multiple fiber carriers that will serve the campus will connect it to long haul fiber carriers in North America. Stability and redundancy is a key component to any revenue generating networking solutions that support Hyperscaler and Ecommerce business organizations. Fiber reliability and diversity with a minimum of four (4) separate fibers have been developed by the applicant's technology development team to be placed on the campus. The close proximity of local fiber carriers to the campus site makes the proposed location favorable from a fiber performance/latency position.

These fiber diversity and redundancy solutions paired with ample power availability positions the campus to offer critical automation manufacturing solutions to the Ecommerce and AI business verticals. The applicant has developed and created business relationships in the fiber connectivity and data center industries having over twenty (20) years of experience in the Silicon Valley market and throughout North America.

E. Buildings

The proposed data center complex includes seven buildings at buildout. The total floor area of each building will range from 300,000 square feet to 400,000 square feet, depending on the needs of each end user for computational space, offices, conferencing, etc. Building heights would vary from 50-55 feet for two stories to 80 feet for three stories and parapets.

Buildings 1.1, 1.2, and 1.3 are the face of the development from US 2. In addition to housing computer servers, these buildings will have more space dedicated to office/administrative needs, with additional attention to landscaping and building exteriors. The four remaining buildings would be used primarily as production space. Buildings 2.1, 2.2, and 3.1 will have limited visibility from US 2. However, Building 3.2 will be prominently visible and would be a defining element of the gateway corridor, especially from the perspective of southbound traffic on US 2. All buildings are oriented at a 45-degree angle, which will minimize the visual impact of large building facades as seen from the highway.

F. Power Requirements

The proposed development will have immense power needs. At buildout, the project will be served by a 345 kV system, including a 345 kV transmission line, onsite substation, and eight transformers. The applicant estimates that 75 acres will be needed for onsite electrical infrastructure that meets each building's needs and provides the redundancy required for modern data centers.

It is anticipated that it will take one year or longer to evaluate alternative corridors and complete the environmental review process for the 345 kV transmission line. The North Dakota Public Service Commission (PSC) has final authority for siting. Due to the long lead time in securing the 345 kV transmission line, Phase 1 of the project will be served by a 115 kV system, which will utilize an existing 115 kV transmission line owned by Mountrail-Williams Electrica Cooperative (MWEC), along with a temporary substation and transformer. Additional phases cannot be completed until the 345 kV system is online. The total power use at the completion of each phase is provided as follows:

- Phase 1 (Buildings 1 and 2) – 130 MW
- Phase 2 (Buildings 1 through 5) – 300 MW
- Phase 3 (Buildings 1 through 7) – 510 MW

G. Generators

Each building site will include an equipment yard housing chillers, 20-25 diesel-powered backup generators, and ancillary equipment. Each generator is designed as a modular unit to facilitate maintenance and replacement. Each generator will be installed on a sub-based fuel tank with a capacity of 5,000 gallons. Fuel tanks will consist of double-walled construction to prevent leaks and environmental hazards.

The applicant provides specifications for the Caterpillar 3516E diesel generator set. Although each end user will select their own generators, the Caterpillar 3516E is an industry standard model that provides a basis for noise impact assessment. (See Section 4 of this report.) The maximum height of Caterpillar 3516 model is 143 inches (about 12 feet), and the height of each fuel tank is 50 inches (about 4 feet). Therefore, the total height of each generator system will be approximately 16 feet

In the event of power failure for any building, generators would run continuously until power is restored, creating significant noise. Each generator will also be a source of noise during testing. Generator testing will be conducted routinely to verify proper operation and redundancy requirements.

Testing procedures will be determined by each end user's operational strategy; however, the industry standard is to test generators every two weeks. Generators are tested one at a time, with each test taking 30 to 60 minutes. Alternatively, each generator could be run once a day per month on a rotational schedule.

H. Sound Walls

To comply with acceptable noise thresholds during generation testing or emergency operations, each bank of generators should be enclosed by sound walls. The applicant's submittal packet does not include details for sound wall construction. However, sound wall standards can be established through the PUD process.

While final sound wall specifications should be evaluated by a sound engineer, sound walls must be tall enough to block the line of sight of the generators from critical noise receptors to prevent "sound flanking," whereby noise travels over the top of the wall. It is common for sound walls designed for generator enclosures to be 20 feet or taller.

I. Access and Security

The primary site access is via one full-movement driveway along 84th Street W (City)/56th Street NW (County). A secondary full-movement access would be constructed at Energy Street on US 2. This would be primarily used by vendors and staff. Each of these accesses includes a security checkpoint. In addition, a gated access is located at the terminus of 84th Street W, which could be used in event of emergency, to access the substation or service the gas line. A private frontage road connects 84th Street W to Energy Street and provides for internal circulation. All internal roads are intended to be private and would be maintained and operated by the owner.

It is important to maintain connectivity and development potential for Lot 1, while ensuring security for Fighting Pike, as desired by the applicant. The site plan shows a conceptual alignment for a "future secondary access road," which would be needed to provide secondary access to Lot 1, as NDDOT and City staff do not support additional access on US 2 between Energy Street and the US 85 Bypass. This will be conditioned as a municipal and utility access easement on the plat. The Camp Creek crossing would align with the original crossing location for Northstar Parkway. The primary access to Lot 1 would have to be via a future road connection to the US 85 Bypass, which could tie in at the connection originally planned for Northstar Parkway.

The site perimeter will be fully fenced to a height of 8 feet. Ornamental fencing (e.g., semi-transparent metal) would be placed along the frontage road. Chain link fencing would be used for the remainder of the site. Fencing transition points are indicated on the site plan.

J. Roads

All internal roads will be constructed to the City's design standards and will be privately owned and maintained. The applicant has provided typical sections for 60'-foot-wide road and a 44'-wide-road. The applicant will also be responsible for the extension/improvement to city standards of 84th Street W to the westernmost driveway access.

K. Parking

Parking areas are indicated on the site plan. Parking stalls are provided based on expected employment for the different buildings. A greater amount of parking is needed and therefore shown for the buildings on the east side of the development; this is primarily due to the office/administrative function of those buildings. Buildings to the west only need parking for servicing needs.

L. Water Usage

The applicant projects that each building will use approximately 2,347,450 gallons of water per year. At buildout, the total water consumption for seven buildings would be 16.4 million gallons per year (this represents 0.5% of the City's overall annual production at the water plant). The annual water consumption for each building breaks down as follows:

- Data hall humidification system – 1,225,000 gallons/year
- Standard facilities (Restrooms, kitchens, etc.) – 1,095,000 gallons/year
- Irrigation – 24,450 gallons/year

In addition, each building will require a one-time fill of approximately 2 million gallons to load the closed-loop cooling system. This will occur during building construction. To ensure water supply capacity at the time of filling the cooling system, a condition has been provided to ensure coordination with City Engineering.

M. Water and Sanitary Sewer

Onsite water and sanitary sewer utilities include a series of 8-inch lines, which will be privately owned and operated. In addition, 12-inch water and sanitary sewer lines will be extended through the site from east to west. These facilities will be owned and operated by the City of Williston. The route for municipal utility extensions was studied based on the need to ensure sanitary sewer service to future development of areas to the north and west of the site to the existing airport facility.

In addition, existing municipal water and sewer lines (12-inch diameter) will be extended from US 2 along 84th Street W to the development's westernmost driveway.

Wastewater will be conveyed to the lift station east of US 2. This lift station currently has two high-pressure pumps, each of which is capable of pumping 1,900 gallons per minute, which is sufficient capacity to absorb the expected flows from the development. In addition, it is feasible to add one more pump to increase capacity. The lift station's turnover time is currently 170 hours (approximately 7 days). Additional flows would reduce turnover time, which would improve the overall efficiency of effluent treatment.

Additional utilities would need to be installed to develop Lot 1 in the future. Note that this would necessitate utility extensions across Camp Creek or under US 2 from the North Bakken Industrial Park.

N. Stormwater Management Systems

A full stormwater management plan (SWMP) is being developed for the site. The SWMP will finalize stormwater system sizing. The preliminary utilities plan shows a series of sewers that will convey stormwater from impervious areas to the existing drainage along US 2 and into the detention pond in the southeast corner of Lot 2. (See Site Plan, Figure 1) A retention basin in the northeast corner of Lot 2 will capture overflow but is primarily dry. The site plan does not indicate how stormwater will discharge from the retention basin to Camp Creek, which is 9 feet below the retention basin. All stormwater facilities will be privately owned and maintained.

O. Gas Lines

An existing gas line owned by Montana-Dakota Utilities Company (MDU) is located adjacent to Building 3.1 and Building 3.2. The proposed site layout is largely influenced by the diagonal orientation of this gas line. An additional high-pressure HDPE gas line passes through the site, generally east to west (a detailed alignment is not publicly available.) The applicant is coordinating with MDU to finalize the new alignment, which is not indicated on the preliminary plat. MDU anticipates a preliminary timeline of three to six months to relocate the gas line once the alignment is finalized.

P. Landscaping

The site plan designates six landscaping zones, which will be landscaped with a variety of trees, shrubs, perennials, and grasses. Landscaping will help screen the substation, improve aesthetics around parking lots, soften the impact of buildings, and help with erosion control and stormwater filtration.

3. PUD TRAFFIC IMPACT STUDY

A. Introduction

A traffic impact study (TIS) was submitted by the applicant's consultant and reviewed by NDDOT. The purpose of the study was to compare the traffic impacts of the proposed development with the traffic impacts described in the recorded development agreement for the Nortstar Planned Unit Development dated April 2015. The TIS for Fighting Pike is based on staffing numbers provided by the applicant; see the TIS for additional details.

B. TIS Summary

As shown in **Table 2**, below, trip generation from Fighting Pike will be substantially lower than the trip generation assumed for the the original Northstar PUD at buildout. The most significant traffic impacts will occur during construction phases. However, construction traffic will be inconsistent and is difficult to quantify. The TIS does not provide volume estimates for construction traffic. Traffic impacts will be substantially reduced after buildout, with no major truck traffic following the completion of construction.

Table 2. Peak Hour Volume Projections – Northstar PUD vs. Fighting Pike

Peak Hour Movement	Peak Hour Volume Projections		
	Northstar PUD	Fighting Pike Phase 1	Fighting Pike Full Build
AM Peak Entry	1,850	121	274
AM Peak Exit	1,297	1	4
PM Peak Entry	1,837	1	4
PM Peak Exit	2,362	121	274

**Excludes construction trips.*

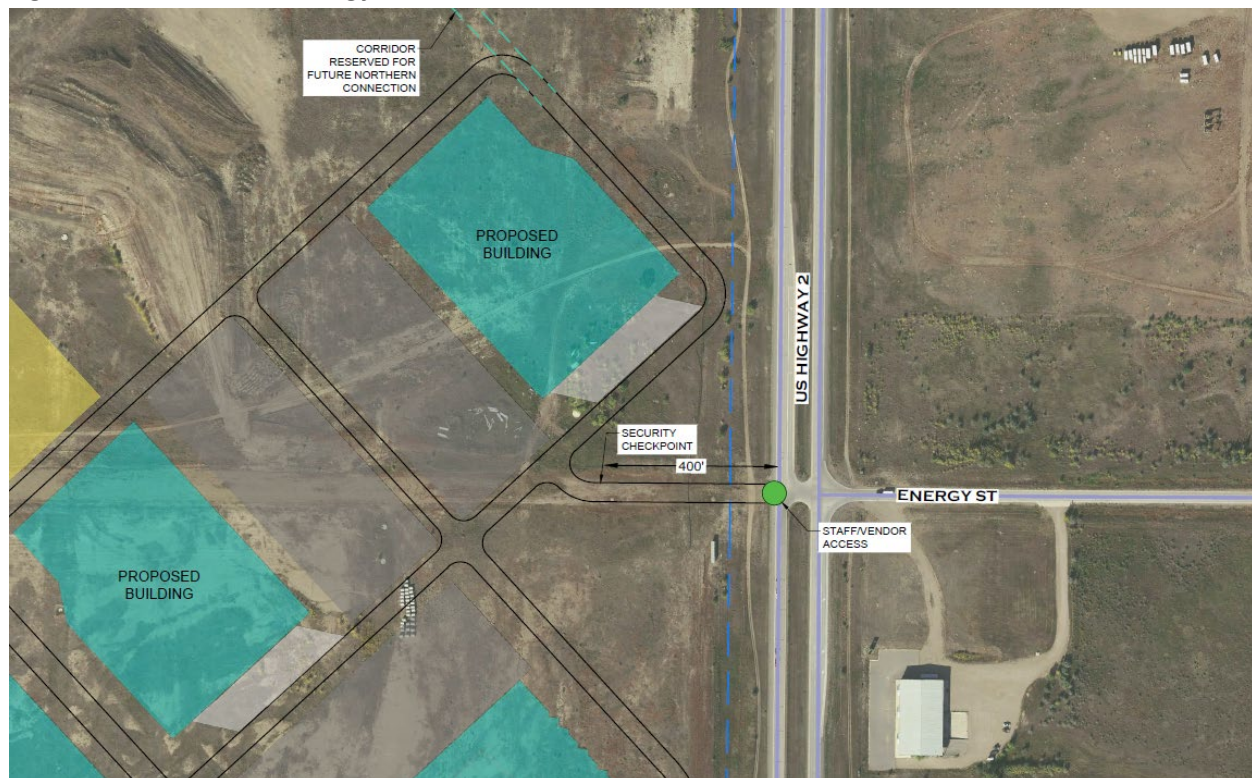
Existing access to US 2 consists of the following:

- **84th Street W.** Signalized intersection with northbound and southbound left-turn lanes. Currently, there is not a southbound right-turn lane. Most traffic generated by the site will flow through this intersection.
- **Energy Street.** Three-way intersection with paved median and southbound left-turn lane. The Energy Street approach is stop-controlled. This intersection will provide secondary access to the development.

The TIS recommends installation of southbound right-turn lanes on US 2 at 84th Street W and Energy Street for safety purposes. At minimum, these turn lanes should have 180' lengths for tapers and 430' deceleration lengths. Highway turn lanes necessitated by development must be financed by the developer. The projected traffic volumes do not warrant installation of a northbound left-turn at Energy Street at this time. As the site approaches buildout, additional study regarding the need for additional alterations may be required to maintain adequate levels of service.

C. Access Concerns

NDDOT and City staff have worked with the applicant to ensure that each access point to the site provides for adequate queuing to avoid any conflicts with US 2. The site access at Energy Street is the closest to US 2. The applicant has provided a schematic (**Figure 2**) indicating a 400' distance from the site's security checkpoint to US 2, which will be adequate to accommodate any excessive queuing (for errant trucks or site deliveries, for example).

Figure 2. Site Access at Energy Street

4. PUD NOISE IMPACT ASSESSMENT

A. Introduction

The applicant has submitted a noise impact assessment (NIA), which was prepared by RWDI, Inc., and reviewed by a third-party consultant. The NIA notes that Williston has not enacted noise ordinances specific to noise emissions from industrial developments, so it suggests noise emission criteria limits suitable for various zoning districts and land uses. **Table 3** shows thresholds, which are generally accepted in practice.

Table 3. Suggested Noise Criteria Limits

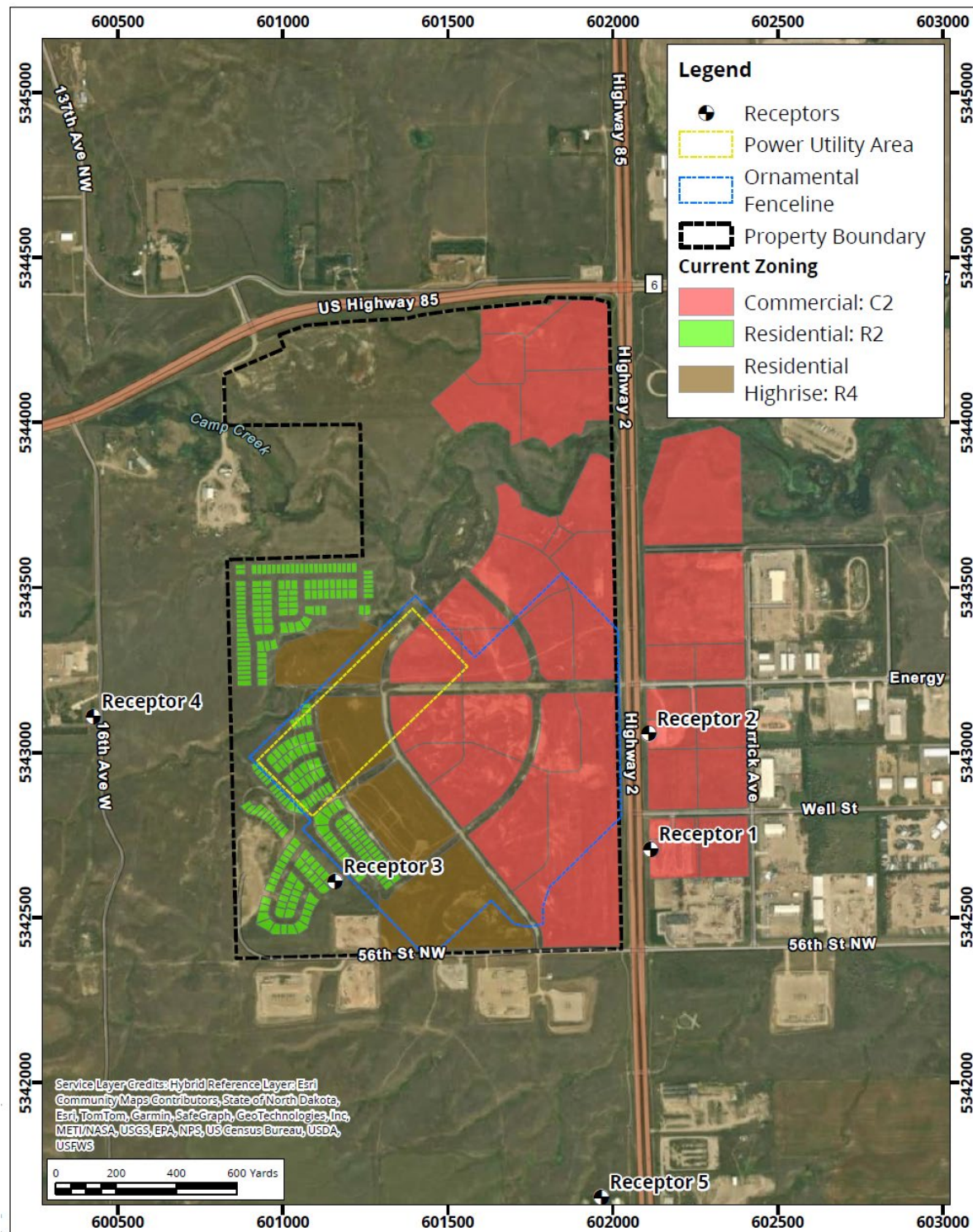
Zoning District	Sound Level Limits (dba) – Daytime (7 AM to 10 PM)	Sound Level Limits (dba) – Nighttime (10 PM to 7 AM)
A and R-2 (Ag and Residential)	55	45
R-4 (Multifamily Residential)	55	50
C-2 (Commercial)	60	55
M-1 and M-2 (Industrial)	75	70

B. Noise Receptors

Noise impacts were modeled at five receptors, as displayed in **Figure 3**. A receptor is a land use that is considered sensitive to noise impacts, such as residential. Note that the NIA references the original PUD for Northstar Center Subdivision, which included plans for a mix of residential and commercial uses. There are no existing uses within the property boundary. In addition, Receptor 3 is located on site. While

it is informative to know noise levels near the source, noise impacts to non-participating properties are the primary concern.

Figure 3. Noise Study Receptor Locations



C. Noise Impact Scenarios

The NIA modeled seven scenarios, described as follows:

- **Scenarios 1-3 – Emergency Operations.** These scenarios modeled the impact of all chillers, transformers, and generators running continuously at maximum power following completion of Phases 1, 2, and 3, respectively.
- **Scenarios 4-6 – Continuous Operations.** These scenarios modeled the impact of all chillers and transformers following completion of Phases 1, 2, and 3, respectively.
- **Scenario 7 – Generator Testing.** This scenario isolates the noise impacts of one generator test. While informative, this is not a scenario that will occur in reality, since chillers and transformers would operate continuously during all continuous and emergency operation scenarios.

Together, the seven scenarios capture a range of outcomes, ranging from Scenario 4 (smallest impact) to Scenario 3 (greatest impact). Scenario 7 assumes that one generator will be tested per day in Phase 1. However, testing could occur simultaneously for two generators once both Phase 1 buildings are complete. The probability of two or more generator tests occurring simultaneously will increase as subsequent phases are completed.

Section 6.5 of the NIA provides modeled sound levels for all scenario/receptor combinations in a baseline scenario (no mitigation). Based on these findings, the NIA recommends mitigation for transformers and chillers. Section 7.3 of the NIA provides the results of model runs with mitigation. To model the effects of transformer mitigation, the NIA assumes that all 100 MVA transformers are reduced to 75 MVA capacity, which decreases the starting sound pressure level from 92 dBA to 72 dBA. In addition, the NIA assumes that noise from chillers can be reduced by 9 dB by using a combination of low-noise fans, internal mitigation applied to the chillers, fan inlet and outlet silencers, or localized barrier placement to impede the propagation path. The NIA does not model mitigation alternatives for generators.

D. Noise Model Results and Recommendations

Table 3, below, summarizes the level of compliance at the five receptor site with the established criteria limits for all scenarios.

Table 3. NIA Modeling Results with and without Mitigation

Scenario	Number of Receptors Exceeding Criteria Limits			
	Daytime Baseline	Daytime with Applied Mitigation	Nighttime Baseline	Nighttime with Applied Mitigation
1	2	2	4	4
2	4	3	4	4
3	4	4	5	5
4	0	0	4	0
5	1	0	4	0
6	2	0	4	0
7	0	0	4	0

To summarize:

- During normal operations with no mitigation, the development would only comply with the established daytime noise thresholds in Phase 1.
- During normal operations with the recommended mitigation for chillers and transformers, the development would fully comply with all thresholds in all phases.
- During an emergency scenario requiring a shift to backup power, the development would be noncompliant in all phases with or without the recommended mitigation for chillers and transformers.

5. PRELIMINARY PLAT

A. Legal Description

A complete application has been submitted for a preliminary plat, to be known as Northstar Center Subdivision Rearrangement #1, a replat of the Northstar Center Subdivision in Section 23, Township 155 North, Range 101 West.

B. Requirements

Required specifications for preliminary plats are detailed in Section 16(a) of the City of Williston's Subdivision Regulations (Ordinance 1132). The final plat will not be recorded until it meets all the recommendations of the Commissions, and all of the final County and City redline plat corrections have been made.

C. Lot Arrangement

The proposed subdivision dissolves all lots and blocks in the Northstar Center Subdivision. The preliminary plat provides a full description of all dissolved lots. The subdivision rearrangement contains one block with 3 lots. Lot 1 represents the land area north of Camp Creek and south of US 85 Bypass. Lot 2 represents the intended Fighting Pike project site. Lot 3 represents the existing 25'x25' tract owned by Missouri Valley Communications (MVC). Currently, the MVC tract is located due west of Energy Street in the interior of the site. If the MVC tract were retained in this location, it would interfere with the utility plan for Fighting Pike and an access easement would need to be provided. The applicant

has been in contact with MVC and is awaiting a response. As a workaround, the area shown as Lot 3 retains an equivalent property interest for MVC. The exact location of this tract will be finalized with the final plat.

D. Right of Way

The proposed subdivision vacates all public rights of way from the Northstar Center Subdivision, including alignments for three roadway segments that were included in the modeled 2040 functional classification network from the Transportation Plan. All proposed internal roads will be privately owned and maintained.

E. Easements

The preliminary plat removes all easements associated with the original roadway plan for the Northstar Center Subdivision, as shown on pages 3-5 of the plat. The following existing easements would remain within the boundary of the plat:

- 30'-wide easement for existing waterline along the frontage of US 2.
- 50'-wide easement for MDU gas line in the southwest corner of the Lot 2.
- 50'-wide easement for Bear Paw pipeline in the southwest corner of Lot 2.
- 50'-wide easement for Highland Operating LLC through Lot 1 and Lot 2.
- 50'-wide easement for rural water association in the northwest corner of Lot 1.
- 50'-wide pipeline easement near the quarter-section line through Lot 1.
- 40'-wide easement for Mountrail-Williams Electric Cooperative along 84th Street W.
- Drainage easements around Camp Creek in Lot 1 and Lot 2.

The preliminary plat shows two proposed easements within the boundary of the plat:

- 80'-wide easement for extension of municipal water and sanitary sewer utilities from Energy Street to the western boundary of Lot 2.
- Easements within Block 1 to protect existing drainages.

The following easements for proposed facilities should be added to the final plat:

- Access easement across Camp Creek granted to the future owner of Lot 1 for the right to use the emergency access road.

F. Utilities

Section 2 of this staff report describes the utilities plan for Fighting Pike. The proposed 80'-wide utility easement would provide for extension of municipal water and sanitary sewer lines through the project site, which would enable future development to the north and west. All other water, sanitary sewer, storm sewer, and retainage ponds would be privately owned and maintained.

G. Park Dedication

Park dedication requirements are established under Section 17(g) of Williston's Ordinance 1132 (Subdivision Regulations). Lot 2 of the subdivision is proposed for rezoning to C-2, General Commercial

District. Commercial development requires dedication of public open space or payment of an in-lieu fee. The Park and Recreation District has thus far indicated a preference for the in-lieu fee, which is based on 0.01 x land square feet of the net usable commercially zoned property—this would apply to Lot 2. The fee in lieu would be assessed at the time of application for the first building permit. If Lot 1 is rezoned/developed in the future, a separate fee would be assessed to the owner of that lot.

H. Development Agreement

This project will utilize a development agreement, which will be finalized with approval of the final plat. The development agreement will primarily focus on offsite improvements required for the project, such as developer financing of public roads and utilities. In addition, the development agreement will require cost estimates and financial assurances for infrastructure improvements, detail requirements for project phasing, and stipulate conditions for issuance of building permits. The development agreement will include the following conditions:

1. Extension of 84th Street W with water, sanitary sewer, and necessary drainage improvements to the project site's westernmost driveway. This roadway section shall be designed to include a 28 foot paved section with 2 foot shoulders on each side for a total width of 32 foot width; otherwise, the roadway must meet City of Williston specifications. Street, water, and sewer extensions shall be complete and pass City inspection before Certificates of Occupancy are issued for buildings in Phase 1. 84th Street W improvements shall follow one of the following alternatives:
 - Alternative 1: stay within statutory 33' right of way on the south side of the section line and 50' on the north side of the section line. This will require 84th Street W to be shifted to the north to center it in the ROW to allow for necessary utilities and roadway requirements to fit properly. This may also result in minor changes in the intersection at US 2 (extension of the north median apron) to accommodate the proper geometry. This will require installing a new watermain from the north/south watermain to the project point of entry into the property.
 - Alternative 2: acquire 17' of additional right of way from the property owner(s) to the south and maintain the current alignment with minor adjustments if necessary.
 - Alternative 3: alternative that allows additionally flexible in conformance with City of Williston specifications.
2. Extension of 12" water/sanitary sewer lines and gravel service road to the west boundary of the parcel, as indicated by the proposed municipal access and utility easement on the final plat. The water/sanitary sewer lines and gravel service road shall be complete and pass City inspection before Certificates of Occupancy are issued for buildings in Phase 1.
3. A south-bound right turn lane on US Highway 2 shall be installed by the developer at 84th St W. The right turn lane shall be constructed according to Chapter III-03.05.01 of NDDOT's Design

Manual. At minimum the turn lane shall have 180' long taper and 430' deceleration length. The turn lane shall be complete and pass NDDOT inspection within six months of occupancy of Phase 1, or sooner based on ongoing City coordination with NDDOT in monitoring traffic safety and operations accessing the project site from US 2.

4. A south-bound right turn lane on US Highway 2 shall be installed by the developer at Energy St. The right turn lanes shall be constructed according to Chapter III-03.05.01 of NDDOT's Design Manual. At minimum the turn lane shall have 180' long taper and 430' deceleration length. The turn lane shall be complete and pass NDDOT inspection before any vertical building or structure construction.

6. COMPREHENSIVE PLAN AMENDMENTS

This section summarizes proposed amendments to the Comprehensive Plan that are necessary to support the proposed rezoning of the development parcel. See the memorandum to the City of Williston regarding proposed amendments to the Comprehensive Plan and Transportation Plan for additional details.

A. Existing Land Use Arrangement

The development parcel is bounded by US 2, the US 85 Bypass, and 84th Street W. The surrounding land use mix includes:

- Highway commercial and industrial uses east of US 2;
- Agricultural uses and oil field development south of 84th Street W; and
- Agricultural uses and farm dwellings north of the US 85 Bypass and west of the development parcel.

The Future Land Use Map designates surrounding areas for Industrial, Low Density Residential/Build-thru Residential, Oil Development, and Constrained Open Space.

B. Future Land Use Plan Amendment

The proposed rezoning of the Northstar Center Subdivision Rearrangement is not consistent with the Future Land Use Plan, which is based on the development concept for the original Northstar PUD. Therefore, the Future Land Use Plan must be amended to support the zone change. **The Future Land Use Plan amendment impacts Figure 5.2 of the Comprehensive Plan. A revised version of Figure 5.2 is included in the attachments to this staff report.**

The entire subdivision is proposed for reclassification to the Commercial land use category. As described in the Comprehensive Plan, the Commercial land use category is intended for a broad range of uses, including retail sales, services, and office uses. The proposed data center complex is similar as an office park in use, scale, and intensity. The data center complex will not include manufacturing activities, will not generate heavy volumes of truck traffic once construction is complete, and will not create nuisances typically associated with industrial uses. Noise issuing from backup generators will be mitigated on-site

by built-in sound attenuation devices and a precast concrete wall surrounding each bank of generators. Given these considerations, the Commercial designation is appropriate for the proposed use.

The proposed land use change is compatible with existing uses and land use classifications for surrounding parcels, which include residential, commercial, industrial, and agricultural uses. No land use amendments to surrounding properties are necessary to maintain compatibility. However, additional amendments could be considered in the future to align adjacent properties with potential development opportunities that would complement the Fighting Pike development, such as ancillary commercial or light industrial uses, storage, and distribution centers, etc.

The net effects of the proposed Future Land Use Map amendment are as follows:

- Commercial +256 acres
- Low Density Residential -50 acres
- Medium Density Residential -23 acres
- High Density Residential -69 acres
- Constrained Open Space -51 acres

All residential uses would be eliminated from the development parcel, substantially reducing vehicular trip generation from the original assumptions for the Northstar PUD, as described in Section 3. In addition, the data center complex will have a low number of employees per acre relative to typical retail, office, or service uses (See the Traffic Impact Study for details). Therefore, Williston's travel demand model does not need to be updated for this project.

7. TRANSPORTATION PLAN AMENDMENTS

This section summarizes proposed amendments to the Transportation Plan, which are needed given the proposed modifications to the roadway network.

A. Functional Classification System

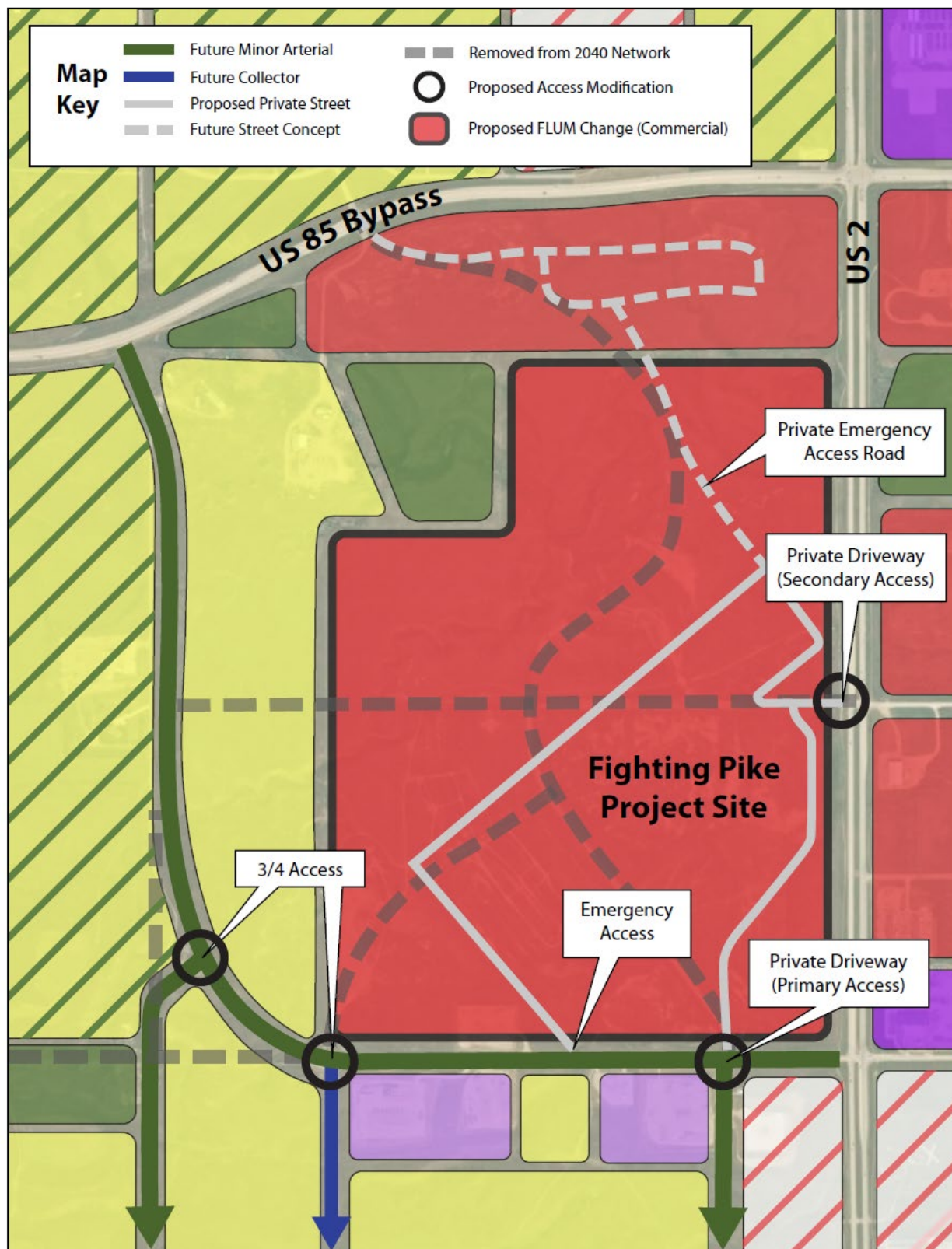
The planned alignments for several arterial and collector roads must be amended or eliminated to accommodate the project. Figure 4 illustrates proposed changes to the functional classification system, overlaid with the developer's street plan and conceptual alignments to serve adjacent properties. These changes include:

- **Route 1 – Northstar Minor Arterial.** Removal of 1.72 miles of the proposed minor arterial from the US 85 Bypass to 84th Street W. The right of way for this section will be vacated with the Northstar Center Subdivision Rearrangement.
- **Route 2 – Northstar Collector (E/W).** Removal of 1.00 miles of the proposed collector from US 2 to 16th Ave. W/137th Ave NW. The right of way for this section will be vacated with the Northstar Center Subdivision Rearrangement.
- **Route 3 – 84th Street W west of US Highway 2.** This minor arterial will be realigned with 137th Avenue NW (City – 16th Ave) to form a continuous connection from US 2 to the US 85 Bypass. As

part of the Fighting Pike development, the road will be constructed to the westernmost driveway of the project site. The amendment includes a curve in the alignment to connect 84th Street W and 137th Avenue NW. This is proposed to avoid challenging topography and a coulee immediately adjacent to the location of where the alignments of 84th Street W and 137th Avenue NW currently intersect.

- **Route 4 – Northstar Collector (N/S).** Removal of 0.50 miles of the proposed collector from 84th Street W to Route 1 (formerly Northstar Parkway). The right of way for this section will be vacated with the Northstar Center Subdivision Rearrangement.
- **Route C – 137th Avenue NW.** This route will be realigned with the 84th Street W extension NW to form a continuous connection from US Highway 2 to the bypass.

Figure 4 on the following page summarizes proposed amendments to the Future Land Use Plan and the 2040 Functional Classification System. It also includes the street system plan for Fighting Pike and conceptual alignments for future street connections. Local street connections do not have an impact on the Transportation Plan but must be considered to ensure that surrounding parcels retain their development potential.

Figure 4. Proposed Roadway System and Land Use Changes

These changes primarily affect Figure 5.1 from the Transportation Plan – Anticipated 2040 Functional Classification. Additionally, the following figures have been updated to be consistent with Figure 5.1 and the proposed amendment to the Future Land Use Plan:

- Figure 2.11 – Parks and Trails, Existing and Future
- Figure 6.5 – Urban Core, Urban Area, and Rural Area
- Figure 7.1 – Proposed Short Term Transportation Projects
- Figure 7.2 – Proposed Long Term Transportation Projects
- Figure 7.4 – Conceptual Tier 2 Arterial/Collector Network

Revised versions for these figures are included in the attachments. For additional details, see the memorandum to the City of Williston regarding proposed amendments to the Comprehensive Plan and Transportation Plan.

8. PUD ZONE CHANGE

A. Planned Unit Development

A Planned Unit Development (PUD) is proposed for this project. This PUD will void and replace the PUD that was previously approved for the Northstar Center Subdivision. Williston's Zoning Ordinance does not specifically address data centers. As data centers are not listed as permitted use, the PUD is the best mechanism to establish development standards and conditions for their entitlement. A PUD is also appropriate given the proposed development phasing and overall level of investment in the site. The PUD process allows the City Commission to modify the requirements of the underlying district(s), if necessary. In addition, the City Commission may modify development standards, such as requirements for parking, landscaping, signage, etc.

B. Base Districts

The PUD is a floating zone that must be combined with one or more underlying base districts. Lots 2 and 3 of the Northstar Center Subdivision Rearrangement are proposed for rezoning to C-2, General Commercial District, pending approval of the Future Land Use Map amendment and recording of the final plat. Lot 1 is proposed for rezoning to A, Agricultural District, which is intended to be a holding zone until development is proposed.

Section 20 of the Zoning Ordinance establishes standards for the C-2 District. The maximum building height is 100 feet. There are no minimum lot requirements, no minimum requirements for yards/setbacks, and no maximum requirement for lot coverage. Therefore, the proposed development conforms with all dimensional standards of the C-2 District and no modifications to dimensional standards are necessary.

C. Zoning Compatibility

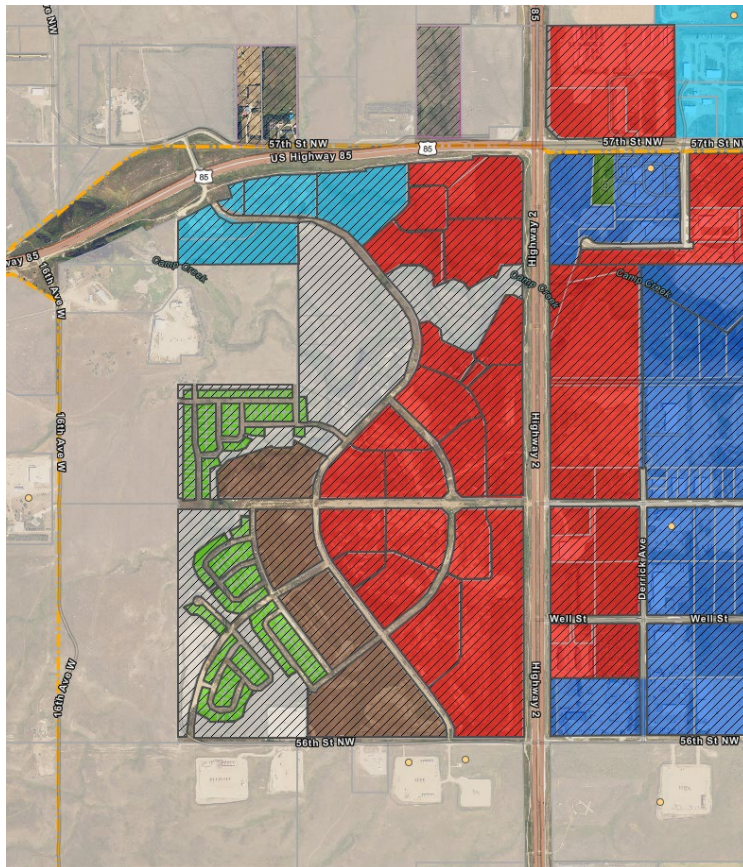
The proposed zoning is compatible with the zoning for surrounding properties, which includes:

- A, Agricultural District and R-1E, Rural Estate District to the north of the development site.

- C-2, General Commercial District and M-2, Heavy Industrial District to the east of the development site.
- A, Agricultural District to the south and west of the development site.

Figure 5, below, shows the existing zoning for the development site and surrounding properties.

Figure 5. Existing Zoning Map



D. Proposed Standards and Conditions

The PUD process allows the City to establish standards and conditions for the proposed development, while providing flexibility to the developer. The following standards and conditions are proposed for Fighting Pike.

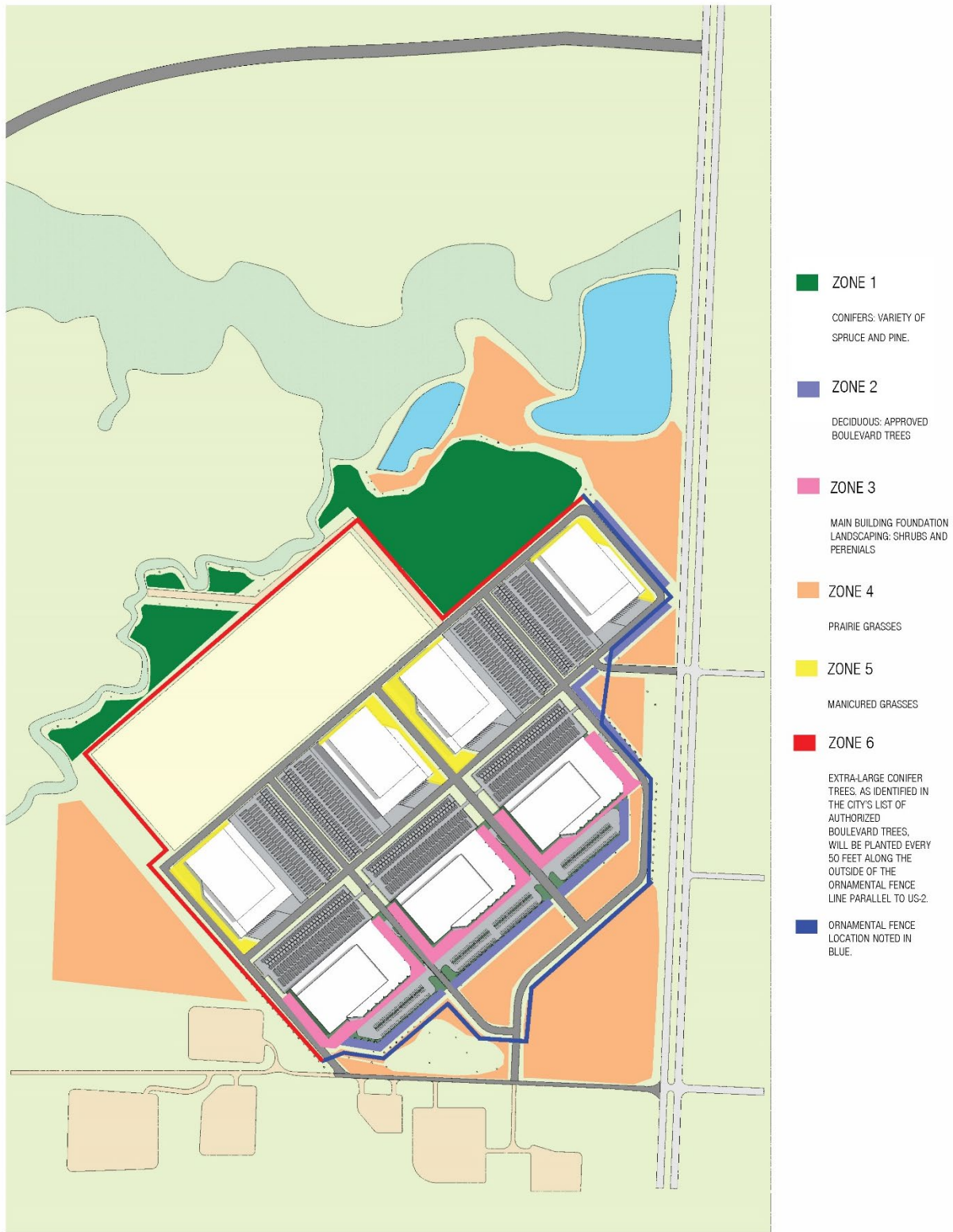
General

1. Fractional Ownership: The (Planned Unit Development Amendment, Subdivision Plat, Comprehensive Plan Amendment, Transportation Plan amendment) will be contingent upon and not recorded until:
 - Confirmed by the City Attorney as to resolution of Title Requirement 12.
2. A pre-construction meeting is required prior to the commencement of each phase of project development to ensure all requirements are met prior to building permit approval and to ensure construction activities are coordinated with the City and other necessary agencies.

3. Laydown yards shall not be located in Landscaping Zone 1 (refer to Landscaping section below) to reduce visibility from US 2 and ensure trees are planted at the earliest possible point of project development. The applicant shall submit a laydown plan with building permits to be reviewed and approved by City staff. Staff preference is for laydown yards to be located in the southwest corner of the site.

Landscaping

Figure 6, below, shows the applicant's landscaping plan. The landscaping plan identifies six zones, which utilize various plant types and levels of landscaping. Recommended standards for the Planned Unit Development are detailed in the following pages.

Figure 6. Landscaping Plan

- **Phasing.** All of Zone 1, Zone 4 facing US 2 frontage, and Zone 6 facing US 2 frontage will be installed as part of the first building phase. As building phases continue, landscaping shall be installed adjacent to each building, as shown on the site plan.
 - “US 2 frontage” is intended to extend from the northerly point of building 2.3 on the preliminary site plan to the southernmost point on building 3.2.
 - Landscaping shall be coordinated with site grading and construction phasing.
- **Detailed Landscaping Plan.** A detailed landscaping plan must be submitted with each application for building permit or each building phase, as identified in the site plan. The landscaping plan shall follow Part 1.c, Section 25.R (Landscaping) of the City of Williston’s Zoning Ordinance.
- **Zone 1.** Extra-large conifer trees, as identified in the City’s list of [Authorized Boulevard Trees](#), will be planted at a rate of nine per acre to help screen the west side of the power utility area from future residential uses to the west of the development parcel, as identified on the Future Land Use Map from the Comprehensive Plan.
- **Zone 2.** To conform with Williston’s parking lot screening requirements for similar development types, the developer may choose: 1) one deciduous large, medium, or small tree from the City’s list of Authorized Boulevard Trees with six shrubs every 25 lineal feet, OR 2) one deciduous large, medium, or small tree every 35 lineal feet, with irrigated turf.
- **Zone 3.** A minimum of six planting units will be provided within each 2,500 square feet of area. Planting units shall follow specifications in Table 1 of Section 25.R of the Zoning Ordinance.
- **Zone 4.** Native prairie grasses will be planted to incorporate the natural ground cover surrounding the site. Any reclaimed portions of the existing gravel pit in the southwest corner of the property will need to be seeded and restored with native prairie grasses. Establishing a native prairie planting of grasses and wildflowers requires management of the vegetation for at least for the first three years after seeding to ensure that the new native seedlings have a chance to grow and mature. Once the plants are mature, after two or three growing seasons, they will be better able to withstand impacts from weeds and other disturbances. The following management plan shall be followed for the zone. **The property owner or a designee shall provide a report to the city on an annual basis to report on progress in following the plan and compliance with the plan.**

Seeding

Seed mixes appropriate for the region may be selected based on consultation with a landscape architect registered in North Dakota, and approval by City staff. Native prairie species with lower flammability, such as shortgrass varieties, are required.

Post-seeding Management

- A long-term management plan is needed to keep a prairie seeding healthy and functioning as a native ecosystem. Managed haying and weed control shall be implemented to help maintain a healthy, vigorous native plant community. The property owner or designee shall monitor the seeding for weeds in the first year. Timely clipping (mowing) may be necessary to control weed pressure. If clipping is needed, weeds should be clipped at a height equal to or slightly above any new seedlings. Proper clipping will reduce shading and prevent weeds from producing seed. Herbicides can also be applied for weed control, depending on the seed mix that was used. Mowing the entire seeding area to a height 8" – 10", at least two times during the first growing season is required. Additional mowing may be needed depending on growth rate of weeds and should be adjusted as needed.
- Note that weed species that are listed by the County or State of North Dakota as noxious weeds must be treated according to applicable local and state laws in order to prevent their spread and damage to agricultural and natural resources. Invasive species can be highly flammable and must be controlled.
- The second year may require spot clipping or herbicide applications for weed control. Bare areas should be reseeded at this time. Native forbs and legumes may be inter-seeded into planted grasses.
- The third year should include haying to help reduce the residue and open up the canopy.
- Clipped (mowed) vegetation should be removed every 3 to 4 years, if the site is not annually hayed.

Wildfire Management

- For Zone 4, the applicant shall develop a wildfire management plan in coordination with the City Fire Department.
- **Zone 5.** Irrigated turf will be planted and maintained.
- **Zone 6.** Extra-large conifer trees, as identified in the City's list of Authorized Boulevard Trees, will be planted every 50 feet along the outside of the ornamental fence line parallel to US 2.
- **All Zones.** All landscaping will follow the following requirements established in Section 25.R of the Zoning Ordinance:
 - Part 1.b(iii). Plant Quality
 - Part 1.b(iv). Plant Lists
 - Part 1.b(v). Installation
 - Part 1.b(vi). Maintenance
 - Part 1.b(viii). Soils
 - Part 1.b(ix). Visibility
 - Part 1.b(x). Overhead Utility Line Interference

- Part 1.b(xi). Underground Utility Interference
- Part 1.b(xii). Fire Hydrants
- Part 1.b(xiii). Diversity
- Part 1.b(xiv). Installation Timeline
- Part 9. Enforcement

Building Design and Operations

Given the size of the proposed development and its location at the northern gateway to the City of Williston, designing the buildings to create a positive image that aligns with community expectations is critical. The following considerations provide a framework to be used as a guide in following the below conditions associated with building design:

- Ensure the building exteriors add value to the neighborhood
- The buildings align with the aesthetic character of their surroundings
- The buildings become an organic part of the community fabric
- Building design considers features like solar panels, green roofs, rainwater harvesting to reduce the environmental impacts

The following conditions shall be applied to each data center building and related equipment at the building permit stage:

1. Buildings and sound walls must be constructed out of materials of concrete (walls) or steel framing, and able to withhold interior noises within the structure
2. If screening of generators and exterior mechanical equipment is needed to achieve necessary noise mitigation, it shall be designed to fit cohesively with the building and site design.
3. Exterior lighting for parking areas and building lighting must be designed to enhance the aesthetic quality of the building structure.
4. Exterior lighting shall be directed downward and hooded to reduce light trespass onto adjacent properties and to reduce light pollution.
5. Building design shall be coordinated with the landscape plan to provide screening for parking and to add variety and reduce the overall massing of the buildings.
6. Should sound walls not be implemented to achieve noise mitigation, any exposed equipment, such as generators or chillers, shall be screened with appropriate fencing or other structures from public right of way. The screening design shall be inline/coordinated with building design.
7. Building construction and materials shall be substantially inline with PUD materials presented, including the preliminary facility concepts provided.

Any building cooling system other than as proposed to the City in this project shall not exceed sound pressure or power levels, or water usage requirements as the cooling system proposed in the PUD. Final water usage shall be reviewed and approved by the City Engineering Department.

Stormwater Ponds

Section 19.9 of the Subdivision Ordinance applies to stormwater ponds for maintenance and landscaping. Pond design shall be reviewed and approved by the City Engineering Department. Erosion control rock/rip-rap and pond berms shall be designed by a North Dakota licensed engineer and

aesthetics/design with the surrounding environment performed by a landscape architect licensed in North Dakota. Maintenance is the responsibility of the landowner and must be kept clean and free of debris. All sand and dirt must be kept out of the discharge or overflow piping. For any approved retention, tall weeds outside of the water line area must be maintained to reduce mosquitoes and other pests. Follow all State Department of Environmental Quality requirements for reporting and maintenance of the ponds. Retention ponds shall be aerated for pest and algae control. Retention ponds are required to be aerated in line with guidance from an engineer registered in North Dakota.

The City is required to inspect a certain percentage of its stormwater ponds and outfalls every year to retain its MS4 general permit with NDDEQ. These inspections are not voluntary, so the applicant will need to grant access to City staff to conduct annual reviews or provide annual inspection reports with proof of repairs to the City Engineering Department via email by December 1st of each year.

Utilities

An important MDU gas line currently transects the site—this line supplies Williston’s XWA Airport. The site plan as proposed would require relocation of the gas line. The applicant shall obtain a written commitment from MDU that documents a schedule to relocate the XWA gas line prior to issuance of building permits for Phase 1 of the project.

Water Usage

The customer shall contact the City Engineering Department at least five business days prior to the requested date to schedule a date to perform filling operations for their system. Volumes needed shall be relayed to the City Engineer with the scheduling request. Once the request is received, the City Engineer shall analyze the current and scheduled system and operational demands and establish a date and maximum flow rate for the filling operation. The customer shall monitor flow rates with instrumentation and must provide a point of contact for the City. If system demand for domestic use dictates water withdrawal to cease, the City Engineer, or their representative, will contact the customer’s designee, who shall immediately cease filling operations upon notice, and may not resume until directed by the City Engineer.

Noise

Under all continuous operation scenarios evaluated in the noise impact assessment (NIA) (scenarios 4-7 in the NIA), the sound power levels modeled at all adjacent sensitive receptors shall be below the noise thresholds identified in the table below (also provided in the NIA).

Table 5. Required Sound Power Level (dBA) Limits

Receptor (Zoning Adjacent to Site)	Sound Level Limits (dBA) – Daytime (7 AM to 10 PM)	Sound Level Limits (dBA) – Nighttime (10 PM to 7 AM)
Single Family Dwelling (A)	55	45
Hotel (C-2)	55	50
Business (C-2)	60	55

The following requirements are applied to the project to ensure compliance is met:

1. A design level study shall be conducted by a qualified acoustical consultant (to be determined by the City of Williston) to ensure that sound level specifications are being met and to determine any additional attenuation necessary to achieve the noise limits. "Additional attenuation" may include any number of applications to reduce sound levels, such as sound walls, low-noise fans, or the use of enclosures.
The study shall include a follow-up sound survey or measurements of a similar data center installation to determine the potential of prominent discrete tones from the proposed facility. The presence of a tone may cause greater annoyance at a receptor as compared to a non-tonal steady-state sound source and a tonal penalty will be applied to tonal sources. A tonal penalty of +5 dB will be applied to tonal sources where identified (change to noise limits required). The results of this study shall be submitted to the City prior to the issuance of building permits.
2. A qualified acoustical engineer shall verify one year after each phase of the data center is fully operational that noise levels comply with the noise standards included with the PUD. This verification shall be performed at the cost of the data center operator. These measurements shall occur when the equipment at the data center is operating under full load (i.e. not in cool weather).
3. Testing of the emergency generators shall only occur during the daytime period, from 7 am to 7 pm.

Access

1. The security checkpoint at the Energy Street entrance to the site shall be located at least 400' from US 2.
2. The applicant shall dedicate a municipal access and utility easement that enables secondary/emergency access and utility connection from any future development on Lot 1 to cross Camp Creek to Lot 2.
3. Private Roads and utilities: All private roads and utilities to be paid for by the developer. The 80-foot Municipal Access and Utility Easement to cross camp creek to service Lot 1 shall be built at time of development of Lot 1 and include a paved surface meeting City Standards.

Preliminary Plat

1. The applicant shall work with the City to designate a "no build" easement in the southwest corner of Lot 2 to reserve space for the potential realignment of 84th Street W. This is to accommodate adjustments to the future functional class system in the transportation plan. The MVC lot shall be relocated to accommodate this easement.
2. MVC must be a cosignatory on the plat or a copy of the deed transfer shall be provided.

Other Conditions to be Recorded with the Final Plat

For 84th Street W, a waiver of protest for future street improvements shall be recorded with the final plat.

Park Dedication

As required by the City's Subdivision Regulations (SR-17(g)), the Park and Recreation District may request payment of the in-lieu fee for park/recreation needs or reserve the opportunity to work with the applicant for the dedication of park space on the subject property. The payment in -lieu fee will be due at time of first building permit if the Park and Recreation District has chosen this option. The fee in lieu is based on 0.01 x land square feet of the net usable commercially zoned property.

E. Recommendations

1. Preliminary Plat

The preliminary plat is recommended for approval. Suggested motions are below. Associated conditions are listed on page 30.

If the Commission wishes to approve the preliminary plat, the recommended motion would be:	If the Commission wishes to approve this application with additional requirements, the recommended motion would be:
<i>To approve the preliminary plat for Northstar Center Subdivision Rearrangement #1, a replat of Northstar Center Subdivision, located within Section 23, T155N, R101W. as presented and conditioned.</i>	<i>To approve the preliminary plat for Northstar Center Subdivision Rearrangement #1, a replat of Northstar Center Subdivision, located within Section 23, T155N, R101W, as presented and _____.</i>

2. Comprehensive Plan Amendment

The Comprehensive Plan amendments are recommended for approval. Suggested motions are below. Approval of the Comprehensive Plan amendment is contingent on approval of the preliminary plat for the Northstar Center Subdivision Rearrangement #1.

If the Commission wishes to approve the Comprehensive Plan amendment, the recommended motion would be:	If the Commission wishes to approve the Comprehensive Plan Amendment with additional requirements, the recommended motion would be:
<i>To approve the amendment of the Future Land Use designation to Commercial for Lots 1, 2, and 3 of the Northstar Center Subdivision Rearrangement #1, as presented</i>	<i>To approve the amendment of the Future Land Use designation to Commercial for Lots 1, 2, and 3 of the Northstar Center Subdivision Rearrangement #1 as presented, contingent on _____.</i>

3. Transportation Plan Amendment

The Transportation Plan amendments are recommended for approval. Suggested motions are below. Approval of the Transportation Plan amendments is contingent on approval of the

preliminary plat for Northstar Center Subdivision Rearrangement #1 and the Comprehensive Plan amendment.

If the Commission wishes to approve the Transportation Plan amendment, the recommended motion would be:	If the Commission wishes to approve the Transportation Plan amendment with additional requirements, the recommended motion would be:
<i>To approve the amendments to the Transportation Plan, including the revisions to the 2040 Functional Classification Network as presented.</i>	<i>To approve the amendments to the Transportation Plan, including the revisions to the 2040 Functional Classification Network, as presented, contingent_____.</i>

4. *Planned Unit Development*

Should the requested zone change for the subject property be approved. The PUD agreement shall constitute the full staff report, and application materials provided. Additional provisions may be considered by the Planning Commission. Suggested motions are below. A recommendation to approve the zoning map changes is conditional on approval of the preliminary plat and the Comprehensive Plan amendment and the Transportation Plan amendment. The official zoning map would be amended following approval of the final plat. Associated standards and conditions of the PUD are provided in Section D of this report.

If the Commission wishes to amend the Planned Unit Development, the recommended motion would be:	If the Commission wishes to amend the changes to the Planned Unit Development with conditions, the recommended motion would be:
<i>To approve the amendment to the Planned Unit Development for Northstar Center Subdivision Rearrangement #1; the rezoning of Lot 1 to A, Agricultural District; and the rezoning of Lots 2 and 3 to C-2, General Commercial District, as presented and conditioned</i>	<i>To approve the amendment to the Planned Unit Development for Northstar Center Subdivision Rearrangement #1; the rezoning of Lot 1 to A, Agricultural District; and the rezoning of Lots 2 and 3 to C-2, General Commercial District, as presented, contingent on _____.</i>

ATTACHMENTS

- Revised figures from the Comprehensive Plan and Transportation Plan
- Memorandum to Williston: Williston Regional Plan Amendments
- Application Submittal Materials
- Preliminary Plat

COMPLETION/RECORDATION REQUIREMENTS

- Public Hearing at the City Commission for the PUD Amendment and Preliminary Plat
- Review of the Final Plat at the Planning and Zoning Commission
- Review of the Final Plat at the City Commission
- All redline plat corrections by the City and County are made before recording
- Development Agreement Recorded with the Final Plat
- Waiver of Protest for future 84th Street improvements